

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18587 of 2025

Arising Out of PS. Case No.-545 Year-2024 Thana- RAMNAGAR District- West Champaran

Nabiullah Shah S/o Kalam Shah Resident of Village- Mathiya, PS- Ramnagar,
District- west Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhote Miyan S/o Late Nabi Hasan Miya R/o vill - Mathiya, P.s.-
Ramnagar, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vatsal Verma

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramnagar P.S. Case No. 545 of 2024 dated 25.11.2024 registered for the offences punishable under Sections 137(2), 96 read with Section 3(5) of the B.N.S. and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the informant's minor daughter had gone to school but she did not return home, thereafter the informant started searching but she could not be located. In the meantime, the informant received information from a source that the petitioner and the co-accused persons



along with three unknown persons kidnapped the informant's daughter under conspiracy. It is further alleged that the co-accused Afroz Shah and Bikau Shah are involved in human trafficking of girl from Goa and they are the main operators of this illegal trade and under their instruction, the daughter of the informant has been kidnapped for the purpose of selling her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 22.11.2024 but the FIR was lodged on 25.11.2024 and there is no explanation for this delay. It is further submitted that there is nothing on record which shows that the victim was forced/seduced to have illicit intercourse with another person. There is no eye-witness to the alleged occurrence. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.11.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that the victim has taken the name of the petitioner in her statement recorded under Section 183 of the B.N.S.S.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran in connection with Ramnagar P.S. Case No. 545 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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