

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26596 of 2025

Arising Out of PS. Case No.-99 Year-2023 Thana- KADWA District- Katihar

Md. Wahid @ Wahid S/O Gharu Resident of Village- Nikhara, P.S.- Kadwa,
District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Md. Zuber S/O Late Muddin R/O Village- Parmeri, P.S- Kadwa, Distt.-
Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir

For the Opposite Party/s : Mr.Madhura Nand Jha

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

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Kadwa P.S. Case
No. 99 of 2023 dated 18.05.2023 registered for the offences
punishable u/ss 363, 364, 366, 366A, 120B of the Indian
Penal Code and section 3/4 of the POCSO Act.

3. As per the prosecution case, the co-accused
persons and two unknown persons are alleged to have
kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Md. Tausif and Jhariya Devi. As per the statement of the victim recorded u/s 164 of the Cr.P.C., the victim has not alleged against the petitioner regarding the illicit relationship. There is general and omnibus allegation against the petitioner. It is further submitted that the victim was not forced or seduced to have illicit intercourse with another person. The victim girl solemnized marriage with one Tinku. Similarly situated co-accused person has already been granted bail by this Court vide order dated 07.05.2024 passed in Cr. Misc. No. 32672 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.01.2025

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Katihar in connection with Kadwa P.S. Case No. 99 of 2023.

7. The application stands allowed

(Chandra Prakash Singh, J)

guddukr/-

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