

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28254 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- PATEPUR District- Vaishali

1. Abdul Kadir Son Of Late Pir Mohammad Village- Chandpur Fateh, Ward No 7, Ps -Harlochanpur Sukki (Patepur), District- Vaishali
2. Mahtab Aalam Son Of Abdul Kadir Village- Chandpur Fateh, Ward No 7, Ps -Harlochanpur Patepur, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sristy Patel, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-08-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. for the State.

2. The accused/petitioners seek bail in connection with Patepur (Harlochanpur) P.S. Case No. 49 of 2025 registered for the offences under Sections 140(3), 87 of Bhartiya Nyay Sanhita, 2023.

3. The accused/petitioners are named in the First Information Report and are in custody since 20.02.2025.

4. Allegation against the petitioners is to kidnap the daughter of the informant aged about 20 years along with other co-accused persons as to



compel her for marriage.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioner no. 1 is the father of main co-accused Md. Jasim Akram, whereas petitioner no. 2 is the brother. It is pointed out that after recovery the victim, who was admittedly major at the time of occurrence, made her statement that she solemnized her marriage with the co-accused Md. Jasim Akram as per her own sweet-will. It is submitted that she negate the allegation of kidnapping. It is pointed out that in view of statement as recorded under section 183 of the B.N.S.S., the police submitted final form through charge-sheet no. 163/25 dated 31.05.2025, exonerating the petitioners and other co-accused persons.

6. Learned A.P.P. for the State could not disputed the aforesaid factual submissions.

7. Considering the aforesaid factual submission and by taking note of the fact as the victim negate the allegation of kidnapping and any



incriminating allegation against the petitioner, where implication of petitioner *prima facie* appears due to relative of main co-accused Md. Jasim, coupled with the fact that after investigation police submitted final form against them, accordingly, above-named petitioners are directed to be released on bail in connection with Patepur (Harlochanpur) P.S. Case No. 49 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIII, Vaishali at Hajipur, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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