

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29089 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

1. Dil Faroz S/O Rafique Alam Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
2. Sabukhata W/O Badal Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
3. Mahbool @ Mahbool Alam S/O Late Rahimuddin Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
4. Tukki W/O Mahbool @ Mahbool Alam Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
5. Noorshad @ Noorshed Alam S/O Mahbool Alam @ Mahbool Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
6. Saddam @ Saddam Alam S/O Razzaque Alam Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
7. Rafique @ Rafique Alam S/O Late Rahimuddin Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj
8. Mozib @ Mozib Alam S/O Late Rahimuddin Resident of Village-Baigna Ward no 10, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durga Nand Jha, Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-08-2025 Heard Mr. Durga Nand Jha, learned counsel for the
petitioners and the State.

2. The petitioners are apprehending arrest in connection with Kochadhaman P.S. Case No. 283 of 2024 for the offence punishable under Sections 126(2), 115(2), 137(2), 96, 352, 351(2) and 3(5) of the BNS, 2023 lodged on 16.12.2024 by the informant, Md. Sarfaraz Alam.

3. As per the prosecution story, the informant alleged that on 14.12.2024, he found that his younger sister absent and



some gold ornaments were also missing. Later, came to know that Dilnawaz Alam and other accused persons had taken her away. When they wanted to rescue her, they were abused, when the Police came they also scuffled with them. This led to the FIR.

4. Earlier the coordinate bench called for the case diary and the statement of the victim girl which is on record. Now the statement has been recorded under section 183 of the BNSS which she has not alleged any forceful abduction and has further recorded that she was not taken under any threat or coercion.

5. Learned counsel for the petitioners submit that if granted relief, they shall be diligently appearing in trial and shall have no track with the victim and//her family members.

6. Though, learned APP opposes the prayer concedes that the girl has not alleged anything against the accused persons.

7. Taking into account the aforesaid facts as also the material on record particularly the statement of the victim girl, this Court is inclined to extend them the privilege of bail with conditions.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Kochadhaman P.S. Case



No. 283 of 2024, to the satisfaction of learned A.C.J.M.-1st Kishanganj subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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