

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33565 of 2025

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

Dilnawaz Alam S/o Rafique Alam R/o Village- Baigna Ward No. 10, P.S.-
Tedhagachh, 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.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 20-08-2025 Heard Mr. Durga Nand Jha, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody 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 petitioner submits that if granted relief, he 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 him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-1st Kishanganj, in connection with Kochadhaman P.S. Case No. 283 of 2024 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner 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;

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

(Rajiv Roy, J)

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