

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34950 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- HALSI District- Lakhisarai

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Irfan Khan S/O Sabir Khan R/O- Village- Premdiha, Mohiuddin Nagar, P.S-
Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Adil Abbas, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 03-09-2025 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 Halsi P.S. Case No. 20 of 2025 registered for the offences punishable under Sections 137(2) and 140(3) of the BNS.

3. As per the prosecution story, the informant has alleged that on 27.01.2025 at about 06:00 AM, when her minor daughter went for morning walk, the petitioner has forcefully kidnapped her. During course of scuffle, he also abused her. Thereafter, on 29.01.2025 at about 09:00 AM, informant received a call from the petitioner in which he threatened the informant to withdraw the case otherwise he would kill him.

4. Learned counsel for the petitioner submits that the



present case is false and fabricated and the petitioner is thoroughly innocent, have committed no offence and falsely been implicated in this case. Petitioner did not kidnap the victim, rather, she voluntarily eloped with him out of mutual love and affection. This is evident from the photographs of the petitioner with the victim and supported by their call records. Learned counsel further submits that there has been an undue delay in lodging the FIR, for which no satisfactory explanation has been provided. Petitioner is languishing in jail since 10.02.2025 having no criminal antecedent.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submits that in the statement of the victim recorded under Section 183 of BNSS she has specifically narrated that the petitioner has committed rape upon her.

6. From perusal of the F.I.R., it appears that there are clear and specific allegations against the petitioner regarding the abduction of the minor victim girl from a lane near her residence. During the course of investigation, the victim was recovered and she made her statement before the learned Magistrate under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), wherein she has supported the entire



occurrence as alleged in the F.I.R.

6. Keeping in view the aforesaid facts and considering the statement of the minor victim girl, I am not persuaded to enlarge the petitioner on bail.

8. Accordingly, the prayer for bail stands **rejected**.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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