

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34575 of 2025

Arising Out of PS. Case No.-22 Year-2023 Thana- JANKINAGAR District- Purnia

=====

Md Azam S/o MD Mustbak R/o Vill- Jankinagar, P.S.- Binova, Distt- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-07-2025 Heard Mr. Surendra Kumar Singh, learned counsel for
the petitioner and Mrs. Asha Kumari, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Janki Nagar P.S. Case No. 22 of 2023 lodged on 23.02.2023 for the offences under Sections 363, 366(A) and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that in the evening, her daughter went to the market but was forcibly made to sit in a vehicle by the named accused persons which included this petitioner. Allegation against this petitioner is of giving chocolate to Afsana Khatoon for not telling anyone. Later she was taken away. This led to the FIR.

4. In this Case, considering the observation of the learned Sessions Judge that the victim girl is traceless as also



that the matter is of the year 2022, this Court directed the Superintendent of Police, Purnea to get the matter investigated through the Deputy Superintendent of Police and submit report on the whereabouts of the victim.

5. Mrs. Asha Kumari has filed a counter affidavit on behalf of the Superintendent of Police, Purnea according to which the girl was recovered on 04.07.2023 itself, she made a statement under Section 161 of Cr. P.C. whereafter she was sent to Nari Gunjan Balika Grih, Katihar. The police found the case against Suraj Kumar Yadav true while recording the fact that nothing has come against the other accused persons including the present petitioner herein. This report of the Sub Divisional Police Officer, Banmankhi addressed to the Superintendent of Police, Purnea dated 01.06.2025 has been brought on record by way of Annexure R/B.

6. Learned counsel for the petitioner submits that a perusal of the police report shows that the main allegation is against Suraj Kumar Yadav, he is a young boy of 18 years, has no criminal antecedent, student and has got implicated.

7. Learned APP Mrs. Asha Kumari though opposes the prayer concede that the police in its latest report has not found any evidence against this petitioner.



8. Taking into account the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Purnea in connection with Janki Nagar P.S. Case No. 22 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 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 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)

Raj Ranjan/-

U		T	
---	--	---	--

