

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35625 of 2025**

Arising Out of PS. Case No.-684 Year-2023 Thana- ARARIA District- Araria

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Hasibur Rahman @ Hasib S/o Ataur Rahman R/o Vill - Bangama, Ward No.  
10, P.S. - Araria, Distt.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Asma @ Asma Khatoon W/o Afzal @ Afzal Hussain R/o vill - Devaria,  
Barighat, ward no. 6, P.S. and Distt.- Araria

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate  
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      28-07-2025                      Heard Mr. Manoj Kumar, learned counsel for the  
  
petitioner and Mr. Anil Prasad Singh, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Araria P.S. Case No.684 of 2023, F.I.R. dated  
10.07.2023 for the offences punishable under Sections 363,  
366(A) of the Indian Penal Code.

3. According to prosecution case, Asma Khatoon, who  
alleged that on 09.07.2023 around 2 PM, her 17-year-old  
daughter was kidnapped by Md. Shabbir while she was on her



way to coaching. The kidnapping occurred near their house, with the help of Kasim, Jakir Hussain, and Manjura. When the informant confronted Md. Shabbir's family, they allegedly threatened to kill her daughter.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Although, the petitioner is not named in the F.I.R. but his name has been transpired during investigation on the basis of statement of the victim girl recorded under Section 164 of the Cr.P.C./Section 183 of the B.N.S.S., 2023 and thereafter, the informant has filed a case bearing Araria P.S. Case No.800 of 2023, for alleged occurrence of kidnapping of her daughter against 10 accused persons, in which the petitioner is not named in the F.I.R.

5. The learned Additional Public Prosecutor on the other hand has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that in the present case, victim was recovered and her statement under Section 164 of the Cr.P.C./Section 183 of the B.N.S.S, in which she has categorically stated that the petitioner along with other accused persons have abducted her. Apart from that, the petitioner carries four more cases other than the present case but fairly



submits that he has been acquitted by the learned Trial Court  
itself.

6. Considering the aforesaid facts and circumstances,  
I am not inclined to grant the privilege of anticipatory bail to the  
petitioner.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

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