

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36613 of 2025

Arising Out of PS. Case No.-249 Year-2024 Thana- NAUTAN District- Siwan

Esrar Hussain @ Israr Hussain S/O Late Ali Hussain R/O Village- Nautan,
P.S.- Nautan, District- Siwan. Petitioner/s

Versus

1. The State of Bihar
2. Shailesh Kumar S/O Jai Prakash Prasad R/O Village- Nautan, P.S- Nautan,
Distt.- Siwan. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Javed Aslam, Advocate
For the State	:	Dr. Indihar Kumari, APP
For the Informant	:	Mr. Ajay Kr. Tiwary, Advocate Mr. Anil Kumar Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 3 25-11-2025 Heard learned counsel for the petitioner, learned counsel
for the informant as well as learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nautan P.S. Case No. 249 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 137(2), 96, 61(2), 352, 351(2) of the BNS, 2023 and Section 8/ 12 of the POCSO Act.

3. As per allegation, the petitioner along with other co-accused persons are said to have kidnapped the informant's sister aged about 16 years on 02.10.2024.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that the statement of the victim has been recorded under Section 183 of the BNSS, 2023



in which she has stated that she went with the co-accused, Ekhlaque Hussain with her own sweet will. She did not named the petitioner in her statement. It has further been submitted that the final form has been submitted against the petitioner.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. The victim did not named the petitioner in her statement recorded under Section 183 of the BNSS, 2023.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI, Siwan, in connection with Nautan P.S. Case No. 249 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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