

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39992 of 2025**

Arising Out of PS. Case No.-149 Year-2025 Thana- PALASI District- Araria

Nasir S/o Aslam @ Md. Ashlam @ Mohannad Hafiz Shaikh R/o Village-  
Pechaili, Ward No. 6, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Sohrab Alam S/o Late Wahab Ali R/o Village- Pechaili, Ward No. 6,  
P.S.- Palasi, District- Araria

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Md Naushaduzzoha, Advocate |
| For the Opposite Party/s | : | Mr. Md. Mushtaque Alam, APP    |
| For the Informant        | : | Mr. Shabina Talat, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

4      03-09-2025                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State. Perused  
the case diary.

2. The petitioner seeks bail in connection with Palasi  
P.S. Case No. 149 of 2025 instituted for the offences under  
Sections 137(2), 87 of the Bharatiya Nyaya Sanhita, 2023.

3. Accusation against the accused persons including  
the petitioner is of kidnapping the informant's daughter with  
intention to marry her.

4. Learned counsel for the petitioner submitted that the  
petitioner is innocent and has falsely been implicated in the  
present case. Learned counsel further submitted that there is a



delay of eight days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that petitioner never kidnapped the informant's daughter nor committed any wrong with her. Learned counsel further submitted that victim is major and there was love affair between the victim and the petitioner. Learned counsel further submitted that victim has solemnized marriage with the petitioner on her own sweet will and is currently residing at her matrimonial house. Learned counsel further submitted that informant has also filed an affidavit before the learned court below stating therein that the victim has solemnized the marriage with the petitioner and is living at her matrimonial house. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.04.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has specifically stated that the petitioner made physical relationship with her against her will, however, police after investigation submitted charge-sheet under Sections



137(2), 87 of the Bharatiya Nyaya Sanhita, 2023.

6. Considering the aforesaid facts and circumstances of the case, charge-sheet being submitted under Sections 137(2), 87 of the Bharatiya Nyaya Sanhita as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Palasi P.S. Case No. 149 of 2025.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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