

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39166 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- PARBATTa District- Khagaria

Md. Nafeej Md. Kaum @ Md. Kaiyum Resident of Village- English
Rupauhali Parbatta, P.S-Parbatta, District-Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanjay Das S/o Late Debo Das Resident of Village- Mojahida, Ward No.6,
P.S-Parbatta, District-Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Parbatta P.S. Case No. 44 of 2025 dated 07.02.2025 registered for the offences punishable u/s 96 of the BNS and section 8 of the POCSO Act and sections 3(I) (r)(s) of the SC/ST Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is love affair between the petitioner and the



victim girl. The victim in her statement recorded u/ss 161 and 164 of the BNSS has stated that she went with the petitioner to Patna. It is further submitted that there is no allegation of sexual assault against the petitioner. The victim has not raised any alarm while she was being taken to Patna. There is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Parbatta P.S. Case No. 44 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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