

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45467 of 2025**

Arising Out of PS. Case No.-135 Year-2025 Thana- KHAGAUL District- Patna

Mohammad Mujamil son of Mohammad Jabbar @ Jabbar Ali R/o - Gram Chichoda, P.S - Barsoi, District - Katihar, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aman Kumar son of Raj Kumar Prasad Village- Saidpur Po and Ps- khagaul, Dist- Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Shalini Kumari, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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

ORAL ORDER

4      22-09-2025              Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2.      The petitioner seeks bail in connection with Khagaul P.S. Case No. 135 of 2025 instituted for the offence under Sections 76 & 96 of the Bharatiya Nyaya Sanhita, 2023 and Section 18 of the POCSO Act.

3.      The informant reported receiving repeated unknown calls for four months. On 16.04.2025, his 12-year-old daughter was lured from outside her school by a man on the pretext of marriage with wrongful intent. The accused was found taking her away when the informant intervened, leading to the present case.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17-04-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case at the instance of his enemies in collusion with police with *malafide* intention. The petitioner has not been arrested from the alleged place of occurrence, nor has any girl been recovered from his possession. The alleged search and seizure list is fabricated, not prepared in presence of independent witnesses. The petitioner has no concern with the alleged girl, and has been falsely dragged in this case to harass and humiliate him.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to the statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that victim has supported the prosecution case and there is enough ingredients of Section 96 BNS, 2023. Police, upon completion of investigation, has submitted charge sheet in this case under Sections 78 & 96 of the BNS, 2023 and Section 18 of the POCSO Act.

7. Considering the aforesaid facts and circumstances



of the case, period of custody of the petitioner and taking into account the statement of the victim recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

9. However, petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six months from today.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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