

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48118 of 2025**

Arising Out of PS. Case No.-218 Year-2023 Thana- JANTA BAZAR District- Saran

Shamshad Alam S/O Salauddin @ Salauddin Miya R/O Village-Kateya, P.S.-
Janta Bazar, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

4 15-10-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. In the present case, the petitioner seeks bail in connection with Janta Bazar P.S. Case No. 218 of 2023, for the offence punishable under Sections 363, 366(a)/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place on 24.12.2023 but the F.I.R. has been lodged on 27.12.2023 without any explanation for the inordinate delay. In the F.I.R., there is no specific role attributed



to the petitioner. The petitioner has been named in this case due to acquaintance with co-accused Mahavir Manjhi whose name and mobile number has been mentioned in the written report. It shows that the co-accused Mahavir Manjhi was in contact with the victim girl. There is no eye-witness to the alleged occurrence and no person saw the victim girl being forcibly taken away or the petitioner being involved in the said occurrence. It appears that the victim girl was having consensual relationship with co-accused Mahavir Manjhi and left her house and she was on the verge of majority as it appears from the F.I.R. The Police has not properly investigated the matter and only examined the family members of the victim girl. There is no cogent material to connect the petitioner with the alleged occurrence. The petitioner has clean antecedent and he is in custody since 08.04.2025 and charge sheet has been submitted.

5. Learned APP for the State vehemently opposes the submission made on behalf of the petitioner and submits that petitioner is named in this case along with other accused persons for kidnapping the minor daughter of the informant.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner



and also considering period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Janta Bazar P.S. Case No. 218 of 2023, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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