

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51130 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- ISHAKCHAK District- Bhagalpur

1. Md. Afroj @ Mohd. Afroj S/o- Md. Usman Village- Chutiya Ps-Shambhuganj Dist- Banka
2. Nazma Khatoon W/o- Md. Afroj @ Mohd, Afroj Village- Chutiya Ps-Shambhuganj Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Sharda Nand Mishra, Advocate Sri Dhananjay Kr. Gupta, Advocate Sri Bishwa Nath Mahto, Advocate Sri Harish Chandra Patel, Advocate
For the Opposite Party/s	:	Sri. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 137(2) 96 and 3(5) of B.N.S.

3. As per the prosecution case, the informant has alleged that her minor granddaughter (*natni*) had gone to her school and thereafter did not return. It is further alleged that they came to know that the victim was talking to one Chand who is son of Mohd. Afroz (Petitioner No. 1). It is further alleged that it was Mohd. Chand who had lured the



granddaughter of the informant with the purposes of marriage in connivance with the other accused persons including the petitioners.

4. Learned counsel for the petitioners submit that petitioners are innocent and have falsely been implicated in this case. He further submits that petitioners are the mother and father of the Mohd. Chand, who is alleged to have lured the granddaughter of the informant for the purposes of marriage. It is next submitted that the victim was recovered and she in her statement under Section 183 or 180 B.N.S.S. has not stated anything against the petitioners and has rather stated that she was in love with Mohd. Chand and has also performed marriage with him. Learned counsel submits that there is nothing specific alleged against the petitioners and it was merely on suspicion that the petitioners have been named. It has lastly been submitted that petitioners have clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions, the petitioners, above named, are directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on



furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Ishakchak P.S. Case No. 319 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the



petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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