

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56657 of 2024

Arising Out of PS. Case No.-319 Year-2021 Thana- BALIYA District- Begusarai

Md. Sabir @ Salman @ Md. Sabir Ansari Son of Late Kadir @ Late Md Kadir R/V- VILALGE- KATHARI 9KATAHRI), P.S.- DANDARI, DISTT.- BEGUSARAI

... .. Petitioner/s

Versus

The State Of Bihar Advocate general

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 19-09-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Ballia (Baliya) P.S. Case No. 319 of 2021 dated 29.09.2021 registered for the offences punishable u/ss 363, 366A read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant with bad intention.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case.



The specific allegation of kidnapping is against the co-accused, Md. Sabir @ Salman. The petitioner is the cousin brother-in-law (Jija) of the victim. The victim in her statement recorded under section 164 of Cr.P.C. has stated that the co-accused Sabir and Asgar forcibly took her Patna and from there they took her to Delhi by train but she has not raised any alarm while being taken to Delhi. It is further submitted that the victim in her statement u/s 164 of the Cr.P.C. has also not made any allegation of sexual assault against the petitioner. It is further submitted that the victim was not forced to have illicit relationship with another person. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. Similarly situated co-accused has already been granted anticipatory bail by this court vide order dated 29.11.2023 passed in Cr. Misc. No. 73223 of 2023.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six



weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Begusarai in connection with Ballia (Baliya) P.S. Case No. 319 of 2021, subject to conditions as laid down under Section 482(2) of the BNSS.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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