

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58198 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- NAUTAN District- West Champaran

MD. ALAUDDIN ANSARI @ ALAUDIN ANSARI S/O LATE NATHU
ANSARI R/o vill - Shivrajpur, ward no. 15, P.s.- Nautan, Distt.- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mehuru Nesha W/o Bhavali Miyan R/o vill - Shivrajpur, ward no. 12,
Dhamka tola, P.S.- Nautan, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 15-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Sri Chandra Bhushan Prasad.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 137(2) and
96 of the Bharatiya Nyaya Sanhita.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that when she came back home after offering *namaz*, she
realized that her minor daughter aged about 17 years old was
missing, accordingly a search was made when she came to
know that petitioner had come at 4 a.m. and took her daughter
away.



4. The learned counsel for the petitioner submits that petitioner is a senior citizen aged about 68 years and has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant alleges that she had gone to offer *namaz* and when she came back home, she realized that her daughter was missing and thereafter she came to know that petitioner had taken her away. It is submitted that the FIR does not even remotely disclose that who informed the informant that petitioner had taken her daughter away. It is next submitted that informant along with her daughter had come to the house of the petitioner, as petitioner was in need of a house help and the remuneration decided was Rs. 6,000/-, thereafter some dispute arose and the informant started demanding Rs. 9,000/- on which the petitioner asked the victim to leave the job and go back home and thereafter the instant case came to be instituted, it is submitted that this perhaps explains why in the FIR it is not disclosed that how the informant came to know that her daughter was taken away by the petitioner. It is further submitted that the statement of the victim was recorded under Section 180 B.N.S.S., wherein she stated that petitioner on 15-3-2025 came at 4 a.m. and took her to Gopalganj and from there



they boarded a train and came to Kaptanganj and at Kaptanganj the petitioner kept her for four days and even committed wrong, thereafter the petitioner left her at Kaptanganj and went away and the victim came to her sister's house at Kaptanganj. It is submitted that thereafter the statement of the victim was recorded under section 183 BNSS, wherein she stated that petitioner on 15-3-2025 at 4 a.m. came and forcefully took her along with himself to the station after pressing her mouth and said that if she will raise an alarm, she will be stabbed and thereafter they boarded a train and petitioner committed wrong, further the petitioner left her at her sister's place at Kaptanganj and went away. The learned counsel for the petitioner thus submits that the statement of the victim recorded under Sections 180 and 183 BNSS is dichotomic, i.e., the statement does not have any coherence and is completely different. It is reiterated and submitted that petitioner is aged about 68 years and has been falsely implicated in the instant case by the informant in connivance with the victim. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned APP opposes the anticipatory bail application, but then is not in a position to rebut the submission



of the learned counsel appearing on behalf of petitioner after perusing the case-diary that the statement of the victim recorded under sections 180 and 183 BNSS is incoherent.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nautan P.S. Case No.130 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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