

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59889 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- SUGAULI District- East Champaran

1. Arshad Alam S/o Jaan Mohammad Miyan R/o Village - Dube Tola Bahas, P.S. - Sugauli, District - East Champaran
2. Jaan Mohammad Mian Son of Lat Imam Rasul Miyan R/o Village - Dube Tola Bahas, P.S. - Sugauli, District - East Champaran
3. Mayant Khatoon @ Mainatun Khatoon Wife of Jaan Moahammad Miyan R/o Village - Dube Tola Bahas, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shamir Mehta
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 96 / 3(5) of the Bhartiya Nyaya Sanhita.

3. As per F.I.R., on 28-02-2024 at around 12:00 noon, informant's daughter was allegedly taken by his neighbour, Afsar Alam to Delhi and when informant went to Afsar Alam's house to enquire about whereabouts of his daughter, these petitioners, who are family members of co-accused Afsar Alam, abused and assaulted him. It is further alleged that on



21.02.2024, co-accused Afsar Alam brought back daughter of informant to her home, but she did not disclose anything about the incident and when informant again approached the house of petitioners, he was threatened with dire consequences by these petitioners.

4. Learned counsel for the petitioners submits that petitioner no. 1 is brother, whereas petitioner no. 2 & 3 are parents of co-accused Afsar Alam and have been falsely implicated in this case. As per F.I.R., specific accusation of kidnapping is against co-accused Afsar Alam. The victim, in her statement recorded under Section 183 B.N.S.S., has denied the prosecution case and specifically stated that she went to Delhi with co-accused Afsar Alam and got married with him. The learned Court below has assessed the age of victim, as 19 years. Petitioners claim clean antecedent.

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

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate 1st Class, Motihari
(East Champaran) in connection with Sagauli P.S. Case No. 06
of 2025, subject to condition as laid down under Section 482 of
the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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