

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62803 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- KOCHADHAMAN District- Kishanganj

Md. Gulam Mustafa @ Gulam Mustafa @ Md Ghulam Mustafa S/o Late Md. Muslim Resident of village- Jiwanpur, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 96 of the B.N.S.

3.The allegation in the first information report is that the informant's daughter went missing from the coaching centre and did not return and during the search, they found that Md. Gulam Mustafa(petitioner) had lured her daughter and taken her away.

4. Learned counsel for the petitioner submits that there is no eye witness to the occurrence and the statement of the victim given before the police as also under Section 183 of the B.N.S.S. before the Magistrate shows that she had gone



along with the petitioner on her own sweet will and no one had allured her or kidnapped her. She has fairly stated in her statement under Section 180 of the B.N.S.S. that since her parents wanted to get her married against her wishes while she wanted to study further, she had left the house at her own will. It has also been submitted that the victim, however, was not recovered from the house of the petitioner.

5. Learned APP for the State has opposed the application for anticipatory bail on the ground that there is allegation of kidnapping the minor daughter of the informant against the petitioner.

6. Taking into consideration the facts and circumstances and also considering that the victim has not supported the case of the informant either in her statement under Section 180 or 183 of the B.N.S.S. as would be evident from the bail rejection order, further considering that the petitioner is also a young boy aged about 23 years with no criminal antecedent, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) 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
Kochadhaman P.S. Case No. 144 of 2025, subject to the
condition as laid down under Section 438 (2) of the
Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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