

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65554 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- GAUTAMBUDHNAGAR District-
Siwan

-
1. Ish Mohammad Sayin @ Ismahmad, S/o Late Dosh Mahmad;
 2. Afida Khatoon @ Afrin Khan @ Afrida, D/o Ish Mohammad Sayin @ Ismahad Sayin;
 3. Amna Bibi @ Amna Khatoon @ Amna, W/o Ish Mohammad Sayin;
- All are resident of Village- Bhaluwara, P.S.- G.B. Nagar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 19-09-2025 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with G.B. Nagar P.S. Case No. 155 of 2025 registered for the offence(s) under Section(s) 137(2) and 87 of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has



alleged that while the entire family had gone to sleep, his daughter was abducted by the neighbours, namely, Ish Mohammad Sayin, Israil Ali, Afrida Khatoon and Amna Bibi and thereafter, they all fled-away.

4. The learned counsel for the petitioners submits that the petitioners happen to be the father, mother and sister respectively of the co-accused, namely, Israil Ali. It has been submitted that the petitioners have only been made accused in this case in order to coerce them to compel co-accused/Israil Ali to produce the kidnapped girl. It has further been submitted that the victim girl is a major and she had gone out of her own free will. It has lastly been submitted that though petitioner No. 1 has one criminal case against him, but the other two petitioners have clean antecedents.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today,



on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with G.B. Nagar P.S. Case No. 155 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) 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 before the concerned Court/successor Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioners will be liable to be cancelled by the concerned Court/successor Court.

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

(v) The concerned Court/successor Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedent, the Court concerned shall take necessary steps for cancellation of their bail-bonds. 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. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

U		T	
---	--	---	--

