

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65741 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Sheru Khan, aged about 25 years, Male S/o Alim Khan @ Alimuddin Khan R/o - South Mohalla, Bhabua, Ward No. 15, P.S - Bhabua, District - Kaimur at Bhabua
2. Saddam Khan, aged about 26 years, Male, S/o Alim Khan @ Alimuddin Khan R/o - South Mohalla, Bhabua, Ward No. 15, P.S - Bhabua, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mano Bibi, W/o Nasim Kuraishi R/o Village - Chainpur, P.S - Chainpur, District - Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr.Anant Kumar I, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Chainpur P.S. Case No. 211 of 2025 dated 26-04-2025, instituted under Sections 96 and 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in short, is that the informant lodged an FIR on 26.04.2025, alleging that she has a daughter, namely Neha Parween, in respect of whom Case No. 109 of 2025 had earlier been lodged and that Neha Parween had been



handed over to the informant through the Court. It is further alleged that thereafter the petitioners along with Alimu Khan, who is the brother-in-law of petitioner no. 2 and Alim Khan, started torturing them and threatening them over the phone demanding her daughter. It is further alleged that on the night of 24.04.2024, her daughter went missing again. Thereafter, the informant went to the house of co-accused Sonu Hussain, where Chhotan Khan and his friend were present with weapons *Lathi, Garasa & Bhala* and abused her son and brother. It is further stated that when she returned home, she found a written note signed by her daughter, Neha Parween, which has been annexed with the First Information Report.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that for the first time the daughter of the informant was found missing on 13.03.2025 at about 2:00 A.M., and in this regard, the informant lodged Chainpur P.S. Case No. 109 of 2025 dated 13.03.2025 (Annexure P/2) against co-accused Sonu Hussain, alleging that he had taken her daughter away from her lawful custody for marriage. After the recovery of the victim, her statement was recorded under Section 183 of the BNS, wherein she stated that



she had been familiar with co-accused Sonu Hussain for the last six months and that her parents had fixed her marriage elsewhere. On account of this, she voluntarily left the house and went with co-accused Sonu Hussain to Pune. It is further submitted that there was a love affair between the victim and Sonu Hussain. It is also submitted that co-accused Sonu Hussain was granted anticipatory bail by the Court below on 30.04.2025 in A.B.P. No. 796 of 2025 (Annexure P/3). It is next submitted that the informant's daughter again left home with said Sonu Hussain, leading to the filing of the present case on 26.04.2025 against seven accused, excluding said Sonu Hussain. It is further submitted that when the daughter of the informant came to know about the present case she returned on 23.07.2025 and recorded her statement under Section 183 of the BNS, wherein she stated that her mother again fixed her marriage somewhere else against her will and when she refused, her parents started planning to kill her and out of fear, she left home alone and went to Delhi by train, where she was selling flowers near Mazar Sharif. When she came to know about the present case, she returned and gave her statement. Further submission is that there is no whisper of any allegation against the petitioners in her statement. Lastly, it is submitted that the petitioners have no



criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge- VI -cum- Special Judge POCSO Act, Kaimur at Bhabua in Chainpur P.S. Case No. 211 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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