

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67862 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- BARAULI District- Gopalganj

Afroz Alam @ Afroz Ansari Son of Noor Mohammad Alam Resident of village- Neuri, PS -Barauli, Dist -Gopalganj, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishun Shah, Male, S/o Late Chatthu Sah R/o Village- Neuri P.S. - Barauli District - Gopalganj Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 19-11-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Barauli P.S. Case No. 26 of 2025 instituted for the offences under Section 87 of the Bharatiya Nyaya Sanhita, 2023.

3. Allegation against the accused persons including the petitioner is of kidnapping the victim girl with ill intentions.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that, as a matter of



fact, there was love affair between the petitioner and the victim and the petitioner never forced victim to establish physical relations. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.03.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner stating that police, after completion of investigation submitted charge-sheet under Sections 87, 64(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 4/6 of the POCSO Act and, therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the submission of the charge-sheet against the petitioner in the aforementioned Sections, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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