

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76059 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Md. Mosleem @ Md. Muslim S/o Late Hadish Miyan R/o village - Sahatha, P.S- Bhagawanpur, District - Vaishali
2. Samida Khatoon W/o Md. Mosleem @ Md. Muslim R/o village - Sahatha, P.S- Bhagawanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Bela Singh, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Krishna Chandra Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-12-2025 Heard Mrs. Bela Singh, learned counsel for the petitioners, Mr. Krishna Chandra Ojha, learned counsel for the informant and Mr. Jagdhar Prasad, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 176 of 2025 dated 03.07.2025 registered for the offences punishable under Sections 137(2), 140(3), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by the petitioners' counsel are that the main allegation is against the petitioners' son, who is already in judicial custody, one month prior to the registration of the FIR of present matter an FIR bearing Bhagwanpur P.S. Case No. 172 of 2025 had also been registered



by the same informant, but not against the petitioners, in which the main allegation was levelled against the petitioners' son. It is further submitted that the victim has been recovered and she stated before the Judicial Magistrate that the petitioners' son had taken her, and the said statement has been discussed in the trial court's order. It is lastly submitted that the petitioners have no criminal antecedent and are elderly persons.

4. Learned APP appearing for the State, as well as learned counsel for the informant, has vehemently opposed the prayer for bail of the petitioners and submits that the instant matter relates to the kidnapping of a three-year-and-six-month-old girl, and the petitioners remained involved in the commission of the alleged occurrence.

5. In the facts and circumstances of this case, and considering the above-stated facts, mainly the nature of the allegations appearing against the petitioners, coupled with their old age and fair and clean antecedent, this Court is of the view that it is a fit case for grant of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty



Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bhagwanpur P.S. Case No. 176 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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