

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76780 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- Pothia District- Katihar

Md. Sahsad Alam @ Md. Sahjad Alam S/o Md. Nawaj @ Sahanabaj Alam
R/o Kusiari, PS- Pothia, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 2 27-11-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Pothia P.S. Case no.65 of 2025 registered under section 137(2), 87 and 3(5) of the B.N.S and Section 67 of the I.T. Act.
3. The allegations in the F.I.R is that the petitioner kidnapped the victim along with her child and had also made viral nude photographs of the victim.
4. Learned counsel for the petitioner submits that it would be apparent from the F.I.R that although daughter-in-law of the informant went missing on 16.06.2025 and the F.I.R was lodged after an inordinate delay of more than one month on 18.07.2025, for which no explanation has been tendered.



Learned counsel for the petitioner referring to the bail rejection order of the learned trial Court submits that the victim was recovered and her statement was recorded under Section 183 of B.N.S.S wherein she has stated that she used to talk with the petitioner one month ago and since her husband used to assault her, she had left for Ludhiana. It is, thus, submitted that in view of the statement of the victim recorded under Section 183 of the B.N.S.S no case of kidnapping is made out and the victim and her son have also returned.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the victim herself has admitted in her statement under Section 183 Cr.P.C that she had left for Ludhiana on her own will coupled with the fact that the F.I.R has been lodged after a delay of more than 1 month, it is directed that the petitioner, above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Pothia P.S. Case no.65 of 2025 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 concerned
where the case is pending/Successor Court subject to the
condition laid down under Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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