

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83958 of 2024**

Arising Out of PS. Case No.-517 Year-2024 Thana- MAJHAULIA District- West Champaran

KHURSHED ALAM RAJ MAHAMMAD @ RAJ MAHAMAD MIA @  
RAJUMAHAMMAD MIYA R/O VILLAGE - BISHUNPURA, WARD NO -  
03, P.S- JAGDISHPURNAUTAN, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. Maimul Nesha Wife of Mustufa Miyan Resident of Village- Semra,  
Madarsa, Ward No.03, Police Station Majhauiliya, District-West Champaran

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Sarvesh Kashyap, Advocate    |
| For the Opposite Party/s | : | Mr. Binod Kumar, APP             |
| For the Informant        | : | Mr. Anant Kumar Mishra, Advocate |
|                          | : | Mr. Gautam Raja, Advocate        |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      20-08-2025                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with  
Majhauiliya P.S. Case No. 517 of 2024 instituted for the offences  
under Section 86 of the Bharatiya Nyaya Sanhita, 2023 and  
Section 8 of the POCSO Act.

3. As per prosecution case, the accused persons tried to  
entice away the informant's minor daughter for marriage but  
was caught by the villagers and handed over to the police.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.08.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhauriya P.S. Case No. 517 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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