

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8791 of 2026

Arising Out of PS. Case No.-35 Year-2025 Thana- KHUTAUNA District- Madhubani

Md. Nizam @ Md. Nezam @ Nezamuddin @ Md. Nezamuddin @ Md. Nazim @ Md. Nazam S/o Md. Ayub R/o Village - Basaha, P.O - Adhra, P.S - Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Resident of - Sikathi Wahi, Ward No. 6, P.S - Khutauna, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 24-03-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137(2), 87, 96, 352 and 3(5) of BNS.

3. The case of the prosecution is that the minor daughter of the informant has been kidnapped by the petitioner and others.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that during course of investigation, the victim has given her statement recorded under



Section 183 of BNSS wherein she has stated that she has gone with Shehzad to Delhi. Learned counsel has submitted that the victim has not named this petitioner in her statement recorded under Section 183 of BNSS or even in her statement under section 180 of BNSS. Only allegation against the petitioner is that he was the driver of the vehicle. Moreover, the petitioner is languishing in judicial custody since 13.04.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khutauna P.S. Case No. 35 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-II, Jhanjharpur, Madhubani.

(Ashok Kumar Pandey, J)

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