

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6664 of 2026

Arising Out of PS. Case No.-293 Year-2025 Thana- KALYANPUR District- East Champaran

1. SATTAR ANSARI S/o- Ismail Ansari R/v- Alaula Ps- Kalyanpur Dist- East Champaran
2. Sufiya Khatoon W/o- Sattar Ansari R/v- Alaula Ps- Kalyanpur Dist- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. XYZ W/o- Ashlam Ali R/v- Alaula Ps- Kalyanpur Dist- East Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since
24.09.2025 in connection with Kalyanpur P.S. Case No. 293 of
2025 for the offences punishable under Sections 96 and 137(2)
of BNS and Sections 4 and 6 of POCSO Act.

3. Despite valid service of notice, no one has appeared
on behalf of O.P. No. 2.

4. That the prosecution case, in brief, is that on the
intervening night of 18th and 19th July, 2025 informant woke up
at the sound of opening of back door of her house and when she
went there to examine it, she observed that all the accused



persons namely Arif Ansari, Sattar Ansari, and Sufiya Khatoon were taking her minor daughter aged about 17 years forcibly with them out of her house, when she screamed the persons of her house woke up, but accused persons had disappeared into the darkness. It is next alleged that she and her family searched for her daughter, but she is traceless, further alleged that other co-accused Arif Ansari had been eyeing her daughter for some time, he would constantly harass her daughter with phone calls and had even called the informant and threatening to kidnap her daughter.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent and are innocent and they have falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioners have not committed any offence as alleged in the FIR. Learned counsel for the petitioners further submits that the petitioners and informant are next door neighbours. It is next submitted that from bare perusal of FIR it appears that no specific allegation has been alleged against them in the FIR and the statement of victim was recorded under Section 183 of BNSS in which she has not supported the case of the prosecution and she has further stated that petitioners have



not kidnapped her.

6. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts and circumstances and the fact that petitioners are persons with clean antecedent and the victim has not supported the case of the prosecution in her statement recorded under Section 183 of BNSS, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th District and Additional Sessions Judge cum Special Judge, POCSO Act, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 293 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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