

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9497 of 2026**

Arising Out of PS. Case No.-143 Year-2025 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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Md. Nazir S/O Md. Sattar Resident of Village - Karor, Ward No. 3, Police  
Station-Cheriyabariyarpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Wife of YYY Resident of Ward No. 3, Shripur, Police Station-Cheriya  
Bariyarpur, District- Begusarai

... .. Opposite Party/s

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**Appearance :**  
For the Petitioner/s : Mr. Sanjeet Kumar, Advocate  
For the State : Mr. Md. Anzarul Haque Sahara, APP  
For the Informant : Mr. Sandip Kumar Gautam, Advocate

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

ORAL ORDER

8      27-07-2026              Heard learned counsel for the petitioner and learned APP  
  
for the State as also learned counsel for the informant. Perused  
  
the case diary.

2.      The petitioner seeks bail in connection with  
  
Cheriyabariyarpur P.S. Case No. 143 of 2025 instituted for the  
  
offence under Sections 64(1) & 96 of the Bharatiya Nyaya  
  
Sanhita, 2023 and Sections 4, 6 & 8 of the POCSO Act.

3.      The prosecution case, in brief, is that the accused  
  
allegedly kidnapped the informant’s minor daughter, took her to  
  
Delhi, wrongfully confined her, repeatedly raped her,  
  
administered intoxicating pills, and later returned her after



threatening the informant.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.10.2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that earlier a Complaint Case No. 23(C) of 2025 was instituted, which was subsequently converted into an FIR. It is specifically contended that the complaint was not supported by an affidavit. It is further submitted that there was a delay of 22 days in lodging the complaint.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that victim has fully supported the prosecution case. Charge sheet has already been submitted in this case under Sections 64(1) & 96 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6 & 8 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, taking into account the fact that victim in her



statement recorded under Section 183 of the BNSS, 2023 has fully supported the prosecution case, hence, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

9. However, petitioner will be at liberty to renew his prayer for bail in the Court below, if the trial is not concluded within a period of six (6) months from the date of receipt/production of a copy of this order.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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