

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9596 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- BAISI District- Purnia

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1. Khabir, Male, aged about 21 years, Son of Zakkar
 2. Ameen @ Md. Ameen, aged about 20 years, Son of Ismail @ Md. Ismail
 3. Md. Azhar @ Md. Azhar Alam, aged about 21 years, Son of Saraful @ Asraful

All are resident of Village- Ziyagachhi, P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Md. Tanjur, Vill- Bairiya, Panchyat- Minapur, P.S.- Baysi, Distt- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md Fazle Karim, Advocate
For the Opposite Party/s	:	Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 06-05-2026 Heard Mr. Md Fazle Karim, learned counsel appearing on behalf of the petitioners and Mr. Tarun Prasad Mandal, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Baisi P.S. Case No. 111 of 2025 registered for the offence(s) punishable under Sections 70(1) of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners have kidnapped



the daughter of the informant and thereafter committed rape with her and also made video of the rape incident. The accused persons also threatened the informant that they will make the video viral.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case. It is further submitted that one co-accused, Md. Musfique, and the informant's daughter were in a love affair and were allegedly found in a compromising position in a maize field, whereupon these petitioners informed the informant about their relationship. Due to this, the informant has also falsely implicated the petitioners in the present case. Learned counsel further submitted that the co-accused, Md. Musfique, and the informant's daughter were in a consensual relationship, which has been duly acknowledged by the girl in her statement recorded under Section 183 of the BNSS. In the said statement, she has expressed her desire to solemnize marriage with Md. Musfique and to reside with him. It is also submitted that the petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.



5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, and upon perusal of the allegations made in the FIR, as well as, the statement of the victim recorded under Section 183 of the BNSS, it appears that Md. Musfique and the informant's daughter were in a relationship, which has been acknowledged by the girl in her said statement. She has further expressed her desire to solemnize marriage with Md. Musfique and to reside with him. Considering the aforesaid facts and circumstances, and taking into account that the petitioners have clean antecedents, the petitioners are directed to be released on pre-arrest bail in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea / Concerned Court in connection with Baisi P.S. Case No. 111 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as



what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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