

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12534 of 2026

Arising Out of PS. Case No.-182 Year-2025 Thana- MUSRIGHRARI District- Samastipur

Aas Mohammad @ As Mohammad @ Ash Mohammad Son of Kari Dhovi
Resident of village - Jajuar West (Bagwasa), P.S.- Katra, Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Smiti Bharti, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 27-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Musarigharai P.S. Case No. 182 of 2025 registered for the offence punishable under Sections 137(2), 140(3) of the B.N.S., 2023.

3. The case of the prosecution in short is that one Safina Khatoon has kidnapped the minor son of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the petitioner is the second husband of Safina Khatoon. The name of this petitioner has surfaced in this case on the basis of confessional statement of Safina



Khatoon. He also submits that the petitioner is already having five kids from his first wife. He further submits that the fact of this case is that Safina has come to the house of the informant, who is Harnish, and has taken the minor baby only on the basis of love and affection. She had no such intention to kidnap. As the case has been filed, the baby has been returned, and from perusal of the order of the learned trial court, it is clear that the petitioner was apprehended with Safina Khatoon with a minor boy while they were alighting from Krishi Travels. He also submits that the case was filed in misconception and the child has been handed over. Moreover, the main thrust of allegation is against Safina, whereas the petitioner is only her second husband. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 16.10.2025.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Samastipur in connection with
Musarigharari P.S. Case No. 82 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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