

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14093 of 2026

Arising Out of PS. Case No.-379 Year-2025 Thana- MAJHAULIA District- West Champaran

Sk. Salim @ Salim Alam @ Bagar @ Shekh Salim S/o- Sk. Ramzan @ Sk.
Dangar R/v- Majhariya Sheikh, W.No-13, Ps- Majhauriya Dist- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o-YYY R/v- Majhariya Sheikh, W.No-13, Ps- Majhauriya Dist- West
Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Chandan Kumar Singh, Advocate

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

ORAL ORDER

7 14-07-2026 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Majhauriya P.S. Case No. 379 of 2025, instituted for the
offences punishable under Sections 96, 137 of the Bharatiya
Nyaya Sanhita, 2023, later on Section 137(2) of the Bharatiya
Nyaya Sanhita, 2023 and Section 8 of POCSO Act have been
added.

3. The prosecution case, in short, is that the petitioner
and the co-accused persons allegedly kidnapped the informant's



minor daughter, wrongfully confined her, and threatened the informant when he demanded her return.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is delay of 14 days in lodging the FIR. It is next submitted that the victim fled away from her house on her own will, went to the petitioner and compelled the petitioner to solemnize marriage with her. It is also submitted that the victim has denied for her medical examination. It is further submitted that the victim has not supported the prosecution case in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner is in custody since 19.12.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhauriya P.S. Case No. 379 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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