

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19272 of 2026

Arising Out of PS. Case No.-145 Year-2023 Thana- PUPRI District- Sitamarhi

Md. Mujibul Nadaf @ Mojibul Nadaf Son of Jalil Nadaf, Resident of Village
- Amanpur, P.S.- Choraut, Dist.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Mahendra Thakur, Advocate
		Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 24-06-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Pupri P.S. Case No. 145 of 2023 dated 03.04.2023, registered for the offences punishable under Sections 364 and 365 of the Indian Penal Code.

3. As per the prosecution case, the complainant filed a complaint petition making allegation against the petitioner and other co-accused persons for abduction of his son.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The occurrence has taken place on 26.11.2019 but the complaint petition was filed on 02.12.2019 without any plausible explanation. Thereafter, FIR



has been instituted on this complaint petition on 03.04.2023. All these facts go on to show that the complainant has filed this case after due deliberation and afterthought. The true facts of the case are that the daughter of the co-accused Gulam Rasul Nadaf has instituted a case against the so-called victim of this case and also against the informant / complainant *vide* Geeta Colony P.S. Case No. 16 of 2019 dated 13.02.2019 under Sections 498A and 406 read with Section 34 of the IPC. In order to save themselves from this case, with this ulterior motive, the informant / complainant has instituted this false case with a concocted story. The complainant / informant is the own brother-in-law of co-accused Gulam Rasul Nadaf and petitioner is the son-in-law of Gulam Rasul Nadaf. The alleged victim Saukat Nadaf is also son-in-law of co-accused Gulam Rasul Nadaf. Therefore, no question arises for abduction of the son of the complainant / informant of this case by this petitioner or even by the other co-accused persons. No specific allegation has been levelled against this petitioner and no specific over act has been attributed to this petitioner as well. Rather, in this case the petitioner has been named as a proforma accused. There is no eyewitness to the alleged occurrence and no independent witness has supported the prosecution case. Learned counsel



next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 23.08.2025.

5. Learned A.P.P. appearing on behalf of the State vehemently opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation, petitioner's period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi / concerned Court, in connection with **Pupri P.S. Case No. 145 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.



*(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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