

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17710 of 2026

Arising Out of PS. Case No.-165 Year-2025 Thana- KADWA District- Katihar

Md. Sarfraz Alam @ Sarafraj Alam @ Md. Sarfraz S/O Safik Alam Resident
of Village- Saguniya (Mahammadpur), P.S.- Kadwa, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-03-2026 Heard Mr. Bimal Kumar, learned counsel for the

petitioner as well as Ms. Sharda Kumari, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.07.2025 in connection with Kadwa P.S. Case No. 165 of
2025, F.I.R. dated 15.07.2025 for the offences punishable under
Sections 87, 352, 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that he works as labourer in Uttar Pradesh and while he
had gone to his working place, his wife eloped with the
petitioner and also took her ornaments, cash & paper of lands.
Upon enquiry from accused persons, they abused the informant
and refused to return his wife.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He next submits that earlier the bail application of the petitioner was dismissed as withdrawn vide order dated 31.01.2026 with liberty to the petitioner to move before appropriate forum after framing of charges. He further submits that charge has been framed against the petitioner on 12.02.2026 (Annexure-4) and the petitioner is in custody since 16.07.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-I, Katihar in connection with Kadwa P.S. Case No. 165 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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