

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20752 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- BIRPUR District- Supaul

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1. Abdul Muttalib @ Muttalib @ Mutalib @ Abdul Mutallib Son of Late Tamijjuddin Resident of village - Bairia Kamal, Ward No. 07, Police Station - Birpur, District - Supaul
 2. Sajia Ahmad @ Sazya Ahmed son of Abdul Muttalib @ Muttalib @ Mutalib @ Abdul Mutallib Resident of village - Bairia Kamal, Ward No. 07, Police Station - Birpur, District - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Wife of YYY Resident of village- Sitapur, Ward no. 13, Ps- Birpur, Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun, Advocate
For the State	:	Mr. Ahmad Ali, APP
For the O.P. No. 2	:	Mr. Sharda Nand Mishra, Advocate
		Mr. Deepak Kumar, Advocate
		Ms. Isha Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 14-05-2026 Heard learned counsel for the petitioners, learned counsel for the O.P. No. 2 and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Birpur P.S. case No. 39 of 2026 registered for the offences punishable under Sections 96, 140(1), 61(2) and 3(5) of the BNS and Sections 8, 12 and 17 of the POCSO Act.

3. The prosecution case, in short, is that the co-accused persons including these petitioners came in a Scorpio



vehicle and kidnapped the minor daughter of the informant at gunpoint.

4. Learned counsel for the petitioners has submitted that the petitioners happen to be the father and brother of the main accused, Md. Naushad, and have been falsely implicated in the present case. It has further been submitted that, by order dated 01.04.2026, the statements of the victim recorded under Sections 180 and 183 of the BNS was called for, which is available on record and referring to said statement, the learned counsel for the petitioners has submitted that there is not even a whisper of allegation against the petitioners, and the victim had willingly married with co-accused Md. Naushad, thereafter she became pregnant. Lastly, it has been submitted that the petitioners have got clean criminal antecedent and they are in custody since 24.01.2026.

5. Learned APP for the State and learned counsel for the O.P. No. 2 have vehemently opposed the prayer for bail of the petitioners. Learned counsel for O.P. No. 2 has submitted that there are specific allegation regarding the kidnapping of the minor daughter of the informant and the petitioners had actively participated in the commission of the alleged offence.

6. Heard the parties and perused the record.



7. Considering the above facts and circumstances of the case, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul, in connection with Birpur P.S. case No. 39 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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