

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20769 of 2026

Arising Out of PS. Case No.-169 Year-2025 Thana- Salmari District- Katihar

Musharraf Alam @ Md. Musharra Alam S/O Md. Gayasuddin R/O Vill.-
Belbari, P.S- Salmari, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Salmari P.S. Case No. 169 of 2025 registered for the offence punishable under Section 97 of the B.N.S., 2023.

3.The case of the prosecution, in short, is that the wife of the petitioner has taken away the four-month-old baby of the informant. On 08.12.2025, the informant searched for her baby, but she could not find him and has filed this case on 14.12.2025.

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 husband of the lady who is alleged to have taken away the child of the



informant. He is unaware of the fact that any child was being taken by his wife. He further submits that there is a delay of six days in filing of the case and the delay is not explained. He further submits that from perusal of the case diary, it will transpire that in CCTV footage also, the petitioner was not identified and the main thrust of allegation is against his wife. Moreover, 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 24.12.2025.

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, Katihar in connection with Salmari P.S. Case No. 169 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

U		T	
---	--	---	--

