

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22491 of 2026

Arising Out of PS. Case No.-256 Year-2025 Thana- MOHAMMADPUR District- Gopalganj

Salman Miya, aged about 24 years (Male) Son of Saheb Miya @ Ibrahim Miya @ Ibrahim Mian, Resident of village - Amarpura, P.S.- Mohammadpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 19-05-2026 Heard learned counsel for the petitioner and learned APP for the State through virtual mode, perused the case diary and also perused the statement of the victim girl recorded under Section 183 of the BNSS.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 87 and 3(5) of the BNS.

3. As per allegation in the FIR, petitioner and other co-accused persons abducted the minor daughter of the informant with an intention to marry her.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to dirty village politics. He next submits that the victim has recorded the statement under Section 183 of the BNSS and stated that she went with the petitioner on her own sweet will, he has got clean antecedent as stated in para-3 of the petition and he is in custody



since 20.11.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is direct involvement for kidnapping of the minor daughter of the informant.

6. On perusal of the first information report, case diary, impugned order dated 11.03.2026 and in para-24 of the case diary, containing birth certificate of the victim issued by Head-master of school, in which, date of birth of the victim is mentioned as 22.05.2010 from which, victim is aged about 15 years and further alleged that the petitioner has performed her marriage with minor girl and also having sexual relationship with the minor girl to constitute an offence of rape, the case is pending for evidence and several other witnesses have also supported the case of the prosecution, so I am no inclined to grant regular bail of the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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

