

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23530 of 2026

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

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Darakasha Khatoon @ Darakasha Khatun W/o Md. Musharraf Alam @
Musharraf Alam R/o Village - Belbari, P.S - Salmari, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Harish Chandra Patel, Advocate
		Ms. Isha Mishra, Advocate
For the Opposite Party/s :		Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for grant of regular bail
in connection with a case registered for the offence punishable
under Section 97 of the BNS.

3. The case of the prosecution, in brief, is that the
informant had gone to fetch vegetables along with her two
children and her mother-in-law. It is alleged that a lady came
there, took away the minor son of the informant, and thereafter
disappeared.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case. It is contended that the name of the petitioner does



not find place in the F.I.R., and the informant claims to have identified the petitioner from CCTV footage. It is further submitted that the petitioner was known to the informant prior to the occurrence and had taken the child only for the purpose of consoling him, without any intention to kidnap or abduct. It is also submitted that, from perusal of the order of the learned Trial Court, particularly paragraphs 33, 34 and 35 of the case diary, it transpires that after being identified from the CCTV footage, the petitioner along with other accused persons allegedly admitted their involvement in the occurrence. Learned counsel submits that such admission amounts to a confessional statement and, save and except the said confessional statement, there is no material against the petitioner. It is further submitted that the petitioner is a lady and is languishing in judicial custody since 24.12.2025, having no criminal antecedent.

5. Learned APP for the State has opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail.

7. Accordingly, the above-named petitioner is directed to be released on bail in connection with Salmari P.S. Case No.



169 of 2025, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Katihar/concerned Court.

(Ashok Kumar Pandey, J)

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