

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28105 of 2026

Arising out of PS. Case No.-259 Year-2025 Thana- BACHHWARA District- Begusarai

Md. Basar @ Md. Basher, S/o Shmshul Arfin R/o Village- Sarainoor Nagar,
P.S- Bachhwara, Dist- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X X Minor Guardianship of Mother Namely X, R/o Village- Sarainoor Nagar, P.O.- Naipur, P.S- Bachhwara, Dist- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prem Kumar Paswan, Advocate
For the State	:	Mr. Rajendra Singh, APP
For the OP No. 2	:	Mr. Manoj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in Bachhwara P.S. Case
No. 259 of 2025 registered under section 96 of the B.N.S.
2023.

3. The allegation is that a minor girl was kidnapped
by the petitioner for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
statement of victim under Section 183 BNSS would show that
she was taken to a number of places right from Begusarai to
Delhi and that she was kept there for long. Thereafter, she was
taken to Barauni. She states that the petitioner used to make her



unconscious. There is no allegation of any sexual misconduct against the petitioner. The petitioner is a young boy without any antecedent. The girl has been taken from one place to another apparently in public transport. Hon'ble Supreme Court in a number of cases has held that if a person is taken from one place to another in public transport, there has to be an opportunity to inform the others regarding her predicament. The petitioner is aged about 25 years and bears no criminal antecedent.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner. Learned counsel for the Opposite Party No. 2 has stated that the victim is a minor and her consent as suggested above would not matter. Moreover, the allegation is that she was kept intoxicated on regular basis.

6. Considering that the petitioner is a young boy without any antecedent and that a hint of relationship could be inferred from the situation for the limited purposes of bail, this court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Addl. Sessions



Judge—VI-Cum Special Judge of POSCO Act,
Begusarai in connection with Bachhwara P.S. Case No.
259 of 2025.

8. It is made clear that any observation made
herein is *prima facie* in nature and limited solely for
the purpose of adjudication of the present bail
application. Such observations shall not be construed
as an expression on the merits of the case and shall not
influence the trial or any other proceedings in any
manner.

(Ansul, J)

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