

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31805 of 2026

Arising Out of PS. Case No.-170 Year-2025 Thana- POTHIA District- Kishanganj

Shahid Alam @ Shahid @ Sahed S/O Mokim @ Mokimuddin R/O Vill.-
Udgara, P.s.- Pothia, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 296 of 2025, arising out of Pothia P.S. Case No. 170 of 2025 registered for the alleged offences under Sections 137(2), 96, 3(5) of BNS.

03. As per prosecution case, the minor daughter of the informant eloped from the house and the informant named the petitioner, who enticed away her minor daughter with intention to sell her.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The victim is aged about 18-19 years as it appears from the medical report as the doctor assessed her age to be 17-19 years



and thus, she is major and no sign of physical assault was found. The victim girl gave contradictory statements in her statement recorded under Sections 180 and 183 of BNSS and her statement could not be relied upon. However, from her statement recorded under Section 180 BNSS, it appears that she is a consenting party and both of them were known to each other. She has voluntarily left her house as her parents arranged her marriage with some other person. Learned counsel further submits that the charges have been framed against the petitioner on 01.12.2025. The petitioner is having clean antecedent and he is in custody since 31.07.2025.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the framing of charge against the petitioner, his period of custody along with clean antecedent, the petitioner above named is directed to 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 learned District & Additional Sessions Judge- 1st, Kishanganj/concerned Court in connection with Sessions Trial No. 296 of 2025, arising out of Pothia P.S. Case



No. 170 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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