

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45414 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- SUGAULI District- East Champaran

1. Muna Dewan @ Md. Munna S/o Ilayas Dewan R/o Village- Hasanpur, Ward No 6, P.S.- Sugauli, Distt- East Champaran (Motihari)
2. Samina Khatoon W/o Muna Dewan @ Md. Munna R/o Village- Hasanpura, Ward No 6, P.S.- Sugauli, Distt- East Champaran (Motihari)
3. Shahnaaz Khatoon W/O Saheb Khan R/o Hasanpur, ward no. 6, P.S.- Sugauli, Distt- East Champaran (Motihari)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urmila Devi, Wife of Umesh Sah R/o village- Vishunpurwa, Ward no-01, PS- Sugauli Dist- East Champaran

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59657 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- SUGAULI District- East Champaran

Md. Ajajul @ Reyazul @ Shaktiman Son of Md. Muna Dewan @ Md. Munna Resident of Village - Hasanpura, Ward No.- 6, P.S.- Sugauli, District - East Champaran (Motihari)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urmila Devi Wife of Umesh Sah Resident of Village - Hasanpura, Ward No.- 6, P.S.- Sugauli, District - East Champaran (Motihari)

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45414 of 2025)

For the Petitioner/s : Mr. Shyam Sundar Kumar, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 59657 of 2025)

For the Petitioner/s : Mr. Shyam Sundar Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 19-03-2026

Heard Mr. Krishna Prasad Singh, learned senior



counsel for the petitioner in both the cases, Mr. Suresh Prasad Singh in the case of Munna Dewan @ Md. Munna and Mr. Ramsewak Choudhary in the case of Md. Reyazul.

2. The petitioner is apprehending his arrest in connection with Sugauli P.S. Case No. 354 of 2024 for the offence under sections 363, 366(A)/34 of the Indian Penal Code lodged on 05.08.2024 by the informant, Umesh Shah.

3. As per the prosecution story, the informant alleged that her daughter went to school but failed to return and allegation against the petitioners / family members is of kidnapping her for the purpose of selling the girl which led to the FIR. Subsequently, the girl appeared and made statement before the Court stating that she was in relationship with Md. Reyazul, as the family members were not ready, she went on her own on 12.06.2024 to Delhi to meet him where he was working.

4. Later, the Delhi Police came along with her parents and further she was brought to the Court where the girl stated that she would like to go with Reyazul and not with the family members and in between, she also resorted to marriage.

5. Learned counsel for the petitioner submits that it is a pure case of love relationship but the same has been turned into criminal case as a result whereof, the entire family



members are suffering. Further, they do not any criminal antecedent.

5. Learned APPs in both the cases have opposed the prayer submitting that the girl was 17 years when she allegedly left the place.

6. Considering the submissions of the parties as also the fact that have been incorporated above, especially the statement of the victim girl on oath as also the petitioners have no criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, East Champaran, Motihari in G.R. No. 4519 of 2024 arising out of Sugauli P.S. Case No. 354 of 2024. subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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