

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51273 of 2026

Arising Out of PS. Case No.-113 Year-2025 Thana- MUSRIGHRARI District- Samastipur

1. Nahida Azmat Tabassum @ Nahida Ajmt Tabssum W/o Md. Faiyaz @ Md. Faiyaj R/o Village- Udapatti, PS- Musrigharari, District- Samastipur
2. Md. Faiyaz @ Md. Faiyaz S/o Md. Islam @ Duukkhan R/o Village- Udapatti, PS- Musrigharari, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o Late Md. Ajeej R/o vill - Udapatti, P.s.- Musrigharari, Distt. - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gun Sagar Mahto, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Musrigharari P.S. Case No. 113 of 2025, lodged on 17/07/2025, under Section 137(2), 87 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and under Sections 8 and 17 of the POCSO Act, pending before the Court of learned ADJ-6th-cum-Special Judge, POCSO Act, Samastipur.



3. As per the prosecution, FIR has been lodged against nine named accused persons including the present petitioners against whom there is allegation that they kidnapped the minor daughter of the informant. There is also allegation of assault against the accused persons.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the only allegation against the present petitioners are that the guardian of another girl upon receiving the knowledge of kidnapping when reached to the house of the petitioners, they have started abusing and use hard behavior with him. Counsel submits that the criminal antecedent of the petitioners is clean and they are also victim as their daughters were also traceless. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that criminal antecedents of the petitioners are clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned ADJ-VI-cum-Special Judge, POCSO Act, Samastipur, in connection with Musrigharari P.S. Case No. 113 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./Anshuman/

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