

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54914 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- KESARIA District- East Champaran

Shahid @ Shahid Akhtar, Son Of Nasim Akhtar @ Nasim Akhtar Ansari,
Resident of village- Agarwa, Ps - Town Motihari, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulam Jaffar son of Mustafa Hussain village- Bairiya, Ward no. 2, Ps- Kesariya, Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

5 21-01-2026 Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Kesariya P.S. Case No. 66 of 2025 registered for the offences under Sections 366 and 87 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that on 23.01.2025 his daughter, aged about 20 years, had gone to Motihari, but she did not return till evening. It is alleged that on 22.01.2025 a phone call was received on the



mobile and the person from the other side had asked, 'where are you?' upon which the informant told that he was in Maharashtra. It is further alleged that another phone call was received on the mobile phone of the informant's son and the caller stated that she is in a relationship with Shahid (petitioner) for the last nine years. The informant has alleged that he has the copy of such audio clip and despite hectic search, his daughter could not be located and he has raised suspicion that daughter has been kidnapped and killed by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and there is an inordinate delay of 25 days in lodging of the FIR. It has further been submitted that the informant has not stated that the petitioner has abducted or kidnapped his daughter rather only suspicion has been raised about the same. It has been stated that the victim is a major lady and the present case is a case of love affair and she has willfully eloped. It has next been submitted that the petitioner has no concern whatsoever with the missing of the victim girl and his name has been maliciously dragged into the present case. It has been submitted that the petitioner has clean antecedent.

5. Learned counsel for the opposite party no.2 as well



as learned APP for the State have vehemently opposed the prayer for bail. It has been stated by the learned counsel for opposite party no.2 that the girl is still traceless and a report was called from the Superintendent of Police, East Champaran and from perusal of the same, it would be known that she has not yet been located and SIT has been formed to recover the missing victim. Learned counsel for the opposite party no.2 has informed that the petitioner has stated in Paragraph '3' of the bail application that he has clean antecedent, however, he has three antecedents. Learned counsel for the opposite party no.2 has furnished the number of the case in which the petitioner is an accused, which are (i) Town P.S.Case No. 64 of 2020, (ii) Complaint Case No. 690 of 2024 and (iii) Complaint Case No. 2130 of 2024. It has been pointed out that on this count alone the present bail application may be dismissed, as he has not come before this Hon'ble Court with clean hands.

6. Having heard the learned counsel for the petitioners and taking into account the facts and circumstances of the case, especially the fact that the victim girl is still missing, as also the fact that the petitioner has suppressed three criminal antecedents against his name, I am not inclined to enlarge the petitioner on anticipatory bail.



7. The prayer for anticipatory bail of the petitioner is rejected.

8. The application stands dismissed.

(Sourendra Pandey, J)

manoj/-

U		T	
---	--	---	--

