IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66369 of 2026

CNR No. BRHC010953002026

Arising Out of PS. Case No.-195 Year-2026 Thana- KALYANPUR District- Samastipur

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Md. Salman Son of Md. Anwar @ Md. Anwa Resident of Village- Birsingpur Boror Tola, Ward No. 2, P.S.- Kalyanpur, District- Samastipur

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP
For the Informant : Mr. Piyush Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

4 04-11-2026 Heard Mr. Shashank Shekhar, learned counsel for the petitioner, Mr. Piyush Kumar Pandey, learned counsel for the Informant as well as Mr. Parmanand Prasad, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 12.06.2026 in connection with Kalyanpur P.S. Case No. 195 of 2026, F.I.R. dated 05.06.2026 for the offences punishable under Sections 137(2), 96 of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, on 04.06.2026 at 04:00 A.M., the informant's sister had gone out to attend nature's call. It is alleged that while she was crossing the road, the petitioner forcibly took her on his motorcycle and fled towards Samastipur.

4. Learned counsel for the petitioner submits that

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petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Infact the petitioner was in love with the victim girl and with the consent of the victim, the petitioner fled with the victim. He further submits that the statement of the victim was recorded under Section 180 BNSS in which she fully supported the petitioner but after sometime when the statement of the victim was recorded under Section 183 of BNSS, she has supported the case of the prosecution and apart from that it appears from the case diary that the victim has refused for her medical examination and according to age certificate of the victim, the age of the victim appears to be roughly around 18 years and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.06.2026.

5. The learned Additional Public Prosecutor for the State and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief

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Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 195 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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