

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66136 of 2025

Arising Out of PS. Case No.-204 Year-2023 Thana- BHITAHA District- West Champaran

1. Mumtaj Alam @ Mantaj Ansari S/O Naushad Ansari R/o Vill.- Rupahi Tand, P.S.- Bhitaha, District- West Champaran
2. Kalamuddin Ansari S/O Habibullah Ansari R/o Vill.- Birti Badharwa, P.S.- Bhitaha, District- West Champaran
3. Gulshan Kumar S/O Vipin Sah R/o Vill.- Birti Badharwa, P.S.- Bhitaha, District- West Champaran
4. Pintu Kumar alias Pintu Kumar Gupta Shambhu kumar Muradih bazar ps bhitaha district West Champaran

... .. Petitioners

Versus

1. The State of Bihar Patna
2. Mr. 'X' (imaginary name of the informant), S/o- Abdul Gaffar Resident of village- Redaha PS- Bhitaha Dist- West Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 10-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner nos. 1 and 2 are named in the F.I.R.
and petitioner nos. 3 & 4 are not named in the F.I.R.,
apprehending their arrest in connection with Bhitaha P.S.
Case No. 204 of 2023 registered for the offences punishable
under Sections 366A, 504, 506/34 of the Indian Penal Code
and section 4 & 8 of the POCSO Act.

3. As per FIR, petitioners alongwith other co-accused



persons found involved in kidnapping of minor daughter of the informant aged about 17 years for the purpose of illicit intercourse/marriage with another person.

4. Learned counsel appearing on behalf of the petitioners submitted that thrust of allegation is available against co-accused Seraj Ali with whom victim was in love and also stayed for a considerable period of time at Pune.

5. It is submitted that victim admittedly returned back with her uncle from Pune and, for long six days, she was with him before recording her statement under section 164 Cr.P.C. It is submitted that the petitioners were implicated with this case only being friend of main co-accused Seraj Ali and they only dropped them at railway station. Petitioners claimed clean antecedent.

6. Despite service of notice upon brother of O.P. No. 2, none appears on behalf of the informant as to join the present pending proceeding.

7. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioners.

8. In view of aforesaid factual submission and by



taking note of the fact as thrust of allegation *qua* committing kidnapping and sexual assault is available against co-accused Seraj Ali, coupled with the fact that these petitioners appear implicated *prima facie* being friend of co-accused Seraj Ali, who dropped them to nearby railway station, accordingly, above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-7th-cum-Special Judge, POCSO, Bettiah, West Champaran/concerned court in connection with Bhitaha P.S. Case No. 204 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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