

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70923 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- SARAI RANJAN District- Samastipur

Navi Aalam @ Md. Nabir Alam @ Palpal S/o Late Md. Nijam @ Bhuttu R/o
Village- Bathua Buzurg, P.S.- Mu7srigharari, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-02-2026 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Sarairanjan P.S. Case No. 94 of 2025, registered for the
offences punishable under Sections 96 of the Bharatiya Nyaya
Sanhita, 2023.

3. Allegedly the minor daughter of the informant is
said to have cajoled and enticed away by the petitioner
alongwith others for the purposes of wrongful act.

4. Learned Advocate appearing on behalf of the
petitioner taking this Court through the FIR submitted that the
alleged occurrence took place on 19.05.2025 and on the next
day i.e. on 20.05.2025 the informant came to know that it is the



petitioner and others who have enticed away his daughter but the present FIR came to be instituted on 26.05.2025, without there being any plausible explanation. Moreover, the entire case falls to the ground for the simple reason that the daughter of the informant returned to her house and her statement has been recorded by the police under Section 180 of the BNS wherein she has categorically stated that she voluntarily left her house with the petitioner and when she came to know that the FIR has been instituted, she immediately returned. The statement of the victim has also been recorded under Section 183 of the BNSS wherein she has not even whispered against the petitioner of causing any sexual assault; rather she has stated that on getting angry with her father, she left her home and she did not solemnize marriage with the petitioner. She further submitted that the present FIR has been falsely implicated against the petitioner. The petitioner bears fair antecedent and submits that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the victim is aged about sixteen years and she left her house alongwith the petitioner and, as such, his complicity cannot be denied.



6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the statement of the victim recorded under Section 183 BNSS coupled with the delay in lodging of the FIR as well as the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Samastipur in connection with Sarairanjan P.S. Case No. 94 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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