

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71119 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- HASANGANJ District- Katihar

Md. Jalal S/O Md. Ishak R/O Village- Islampur Purab Dherwa, P.S.-
Hasanganj, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. ABC W/O XYZ R/O Village- Islampur Bandewar, P.S.- Hasanganj, District-
Katihar (Informant)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 15-04-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 74, 352, 137(2), 96 and 3(5) of the B.N.S., 2023 and
Section 4(1) of POCSO Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that petitioner enticed and kidnapped her minor daughter
for the purposes of marriage.
4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the victim came back and her statement was recorded under Section 183 BNSS wherein she has not supported the case of the prosecution rather has stated that her father used to rape her and forced her to indulge in prostitution, the victim has also disclosed that her father forced her mother and sister even to indulge in prostitution, further that it was her father who had sent the victim to the petitioner and when the victim met the petitioner, she requested him to marry her, thereafter they went to Haryana and performed their court marriage and when the victim came to know about the instant case she came back and gave her statement before the police and thereafter her statement was also recorded under Section 183 BNSS.

5. Learned counsel for the petitioner submits that the informant under pressure of her husband has instituted the instant false case and after the statement of the victim was recorded under Section 183 BNSS, thereafter again the instant informant has instituted a separate criminal case against the petitioner.

6. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for



anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the victim in her statement recorded under Section 183 BNSS has not supported the case of the prosecution.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hasanganj P.S. Case No.103/2024 (District-Katihar), subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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