**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.75586 of 2026**

**CNR No. BRHC011059142026**

Arising Out of PS. Case No.-251 Year-2026 Thana- SUPAUL District- Supaul

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1. Md. Tufail @ Md. Tuful @ Md. Tufel @ Md.Sufel S/O Md. Khalil Resident of village - Bairo, Ward No. 10, Police Station - Supaul, District - Supaul
2. Maida Khatun @ Maida Khatoon W/O Md. Khalil Resident of village - Bairo, Ward No. 10, Police Station - Supaul, District - Supaul
3. Md. Juber @ Md. Jubair S/O Md. Khalil Resident of village - Bairo, Ward No. 10, Police Station - Supaul, District - Supaul
4. Jiya Khatun @ Jiya Khatoon W/O Md. Tufail @ Md. Tuful @ Md. Tufel Resident of village - Bairo, Ward No. 10, Police Station - Supaul, District - Supaul

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Arun, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR**

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and learned counsel for the State.

2. This application for anticipatory bail arises out of Supaul P.S. Case No. 251 of 2026 for the offence punishable under Sections 137(2), 140(3), 352, 96, 303(2), 3(5) of B.N.S.

3. The case of the prosecution is that in the intervening night of 31.03.2026, the minor daughter of the informant, who happens to be the victim of this case, was kidnapped by the co-accused Md. Sufail and a cash amount of

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Rs. 50,000/-, gold and silver jewellery worth Rs. 1,75,000/- was also taken away along with the victim. It has further been alleged that the accused persons, namely, Maida Khatoon, Md. Juber and Jiya Khatoon have also assisted the co-accused Md. Sufail in the commission of the crime and when the informant and her husband went to the house of the co-accused Md. Sufail, the accused persons started abusing the informant.

4. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in this case and the thrust of allegation is against the co-accused Md. Sufail. It has further been submitted that the written report is dated 02.03.2026, while the case was registered on 02.04.2026. It has further been submitted, referring to the impugned order, that the statement of the victim recorded under Section 183 BNSS does not inspire confidence. It has further been submitted that the entire allegation of rape and kidnapping is against the co-accused Md. Sufail. It has further been submitted that there is no video footage on the record and the allegation appears to be an exaggerated version. It has lastly been submitted that petitioner nos. 2 and 4 are ladies and the petitioners have got clean antecedent.

5. Learned counsel for the State opposed the prayer

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of anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. The impugned order has dealt with the statement of the victim recorded under Section 183 BNSS, where the victim girl has specifically stated that on the point of knife, she was forcibly kidnapped by the co-accused Md. Sufail and petitioner nos. 1, 3 and 4 were also present there. She has further stated that the co-accused Md. Sufail forcibly put vermillion on her head and when she raised alarm, then he assaulted her by means of belt and forcibly committed sexual assault. She also stated that petitioner no. 4 had forcibly prepared the video, while petitioner nos. 1, 3, 4 and co-accused Md. Sufail had committed the crime against her. In the impugned order, there is also a finding with reference to paragraph 81 of the case diary that the doctor has found injuries on the body of the victim girl and also found the hymen was torn, when she was minor on the date of alleged occurrence. The victim had not named petitioner no. 2 in any manner in her statement recorded under Section 183 BNSS. Accordingly, prayer for bail of petitioner nos. 1, 3 and 4, namely, Md. Turail @ Md. Tuful @ Md. Tufel, Md. Juber @ Md. Jubair and Hiya Khatun @ Jiya Khatoon are hereby rejected.

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8. However, considering the facts and circumstances as well as the nature of material against petitioner No. 2, let petitioner No. 2, namely, Maida Khatun @ Maida Khatoon, in the event of her arrest/surrender within six weeks from today in the Court below, 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 Judicial Magistrate, Supaul subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

**(Praveen Kumar, J)**

Rupa/-

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