IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79888 of 2026

CNR No. BRHC011132312026

Arising Out of PS. Case No.-13 Year-2026 Thana- GHURNA District- Araria

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Faijjan @ Faizan Ansari son of Mojeem Ansari @ Mojim Resident of village- Ghurna ward no. 8, PS- Ghurna, Dist- Araria

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kumar Rajdeep, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Ghurna P.S. Case No. 13 of 2026 registered for the alleged offences under Sections 137(2), 140(3), 96 and 3(5) of BNS.

03. As per prosecution case, the minor daughter of the informant went missing and the informant came to know about petitioner and co-accused Imtiyaz who enticed away the daughter of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken

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place. The petitioner is a young boy aged about 19 years and the petitioner and the daughter of the informant have been knowning each other for last six years. The daughter of the informant left her house on her own and went to Nepal with the petitioner and both of them solemnized marriage in a temple and started residing there. The statement of the victim was recorded under Section 183 of BNSS, wherein she did not make any allegation of threat, coercion or wrongful conduct against the petitioner. The voluntary nature of act of the daughter of the informant is also apparent from the delay in lodging the FIR as the FIR has been instituted on 20.02.2026 though the daughter of the informant went missing on 16.02.2026. The police submitted charge sheet under Section 137(2) of BNS only against the petitioner and exonerated other co-accused persons. Learned counsel further submits that the medical report does not show any recent sexual assault. The petitioner is having clean antecedent and he is in custody since 29.06.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of act of the victim and also considering the

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period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Araria/concerned Court in connection with Ghurna P.S. Case No. 13 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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