

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84221 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- JHANJHARPUR District- Madhubani

Naima Khatun W/O Md. Tahir Ansari @ Tahir Ansari R/O Village -
Machhadhi, P.S- Jhanjharpur, Dist- Madhubani (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jhanjharpur P.S. Case No. 65 of 2025, F.I.R dated 13.04.2025 registered for the offences punishable under Sections 137(2), 96, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, one Kamlesh Saday had submitted a written application to the S.H.O., Jhanjharpur, alleging that his minor daughter, Shikha Kumari, an Intermediate student, had been living at her maternal home and studying at Lomens College. On 08.04.2025, she went to college but did not return. The informant searched for her at relatives' houses but could not locate her. Subsequently, on 12.04.2025, he came to know that the petitioner had allegedly



kidnapped his daughter, and it was further alleged that the petitioner's mother had also cooperated in the said occurrence.

4. Counsel for the petitioner submits that petitioner is mother of *Md. Vasim @ Vasim Ahamad* who is said to have been married with the victim girl *Shikha Kumari* and without there being any complicity of this petitioner in the said offence, she has falsely been implicated while *Shikha Kumari* and *Md. Vasim @ Vasim Ahamad* are said to be in love and they got married as per the personal law. Learned counsel for the petitioner by referring to the statement recorded under Section 183 of BNSS submits that the victim has herself stated that she was in love with co-accused *Md. Vasim @ Vasim Ahamad* and she wanted to marry him, but the family members of her was not agreeable to the same. Therefore, she came out of her house in the name of going to the college and met with *Md. Vasim @ Vasim Ahamad* and went to Maharashtra and there both of them got married as per the personal law and has outrightly rejected the complicity of any other person in the said incident.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts that petitioner has not been named by the victim in her statement recorded under



Section 183 of BNSS. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 Additional Chief Judicial Magistrate, Jhangharpur, District - Madhubani in connection with Jhanjharpur P.S. Case No. 65 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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