

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83676 of 2025**

Arising Out of PS. Case No.-136 Year-2022 Thana- KATHAIYA District- Muzaffarpur

Md. Ashik S/O Md. Mainuddin R/O Village- Patti Aswari, P.S- Kathaiya,
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-01-2026 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends his arrest in a case registered for the offence punishable under sections 363, 366, 34 of the Indian Penal Code .

3 . As per the prosecution case, on 30.08.2022, the informant's 17-year-old daughter, Pinki Kumari, went to coaching and did not return . Upon inquiry , informant came to know that named co-villagers along with 3-4 unknown persons kidnapped her and her friend Khushi Kumari, for unlawful purpose .

4. It is submitted on behalf of the petitioners that the petitioner has falsely been implicated in the present case due to prior enmity. The FIR was lodged after an unexplained delay of



more than three days, which casts serious doubt on the prosecution story . There is no eyewitness or evidence to support the allegation of kidnapping against this petitioner. During course of investigation , the victim was recovered and, she in her statement recorded under Section 164 Cr.P.C., has stated that she was major and had accompanied co-accused Md. Jahir out of her own free will, and had solemnized marriage with him. Similarly situated co-accused person namely Md. Tahir has been granted bail by Co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 11970 of 2023 . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the aforesaid facts, clean antecedent of the petitioner, statement of the victim recorded under section 164 Cr. P C and other circumstances of the case , in the event of arrest or surrender within eight weeks from today , let the petitioner, as named above, be enlarged 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 Judge , 12th Muzaffarpur in connection with Kathaiya P.S. Case No. 136 of 2022 , subject to the conditions laid down under



section 482(2) of the Bharatiya Nagarik Suraksha Sanhita ,
2023 .

(Prabhat Kumar Singh, J)

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