

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85226 of 2025

Arising Out of PS. Case No.-340 Year-2025 Thana- WAJIRGANJ District- Gaya

Md. Imteyaz Alam @ Imteyaz Alam S/o- Mohammad Reyaz @ Reyaz Khan
Village- Tarwan Tola Bara PS- Wazirganj, Dist- Gaya Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Alok Kumar Alok, Sr. Advocate Mr. Ajay Kumar Sinha, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 02-02-2026 Heard learned Senior counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 96 and 3(5) of the BNS.

3. The case of the prosecution, in short, is that the petitioner along with others has kidnapped the minor daughter of the informant. During course of investigation the victim has given her statement under Section 183 of the BNSS wherein she has stated that on 27.05.2025 she went to Sirdalla without disclosing anyone. She met Imtiyaz (petitioner) there and from there they went to Bengal. They lived in a room in Bengal but there was no physical relationship between them. In last paragraph of her statement, the victim has stated that she is having no complain against the petitioner.

4. Learned counsel for the petitioner has submitted that



from perusal of the injury report the Doctor has come to the conclusion that “1. though there is no recent sign of sexual intercourse but rape cannot be denied. 2. Age above nineteen years.” Learned counsel for the petitioner has submitted that the allegation of rape does not arise as the victim herself has stated that there was no physical relationship between them. Learned counsel for the petitioner has further submitted that the victim herself has admitted that she has gone with the petitioner herself. Learned counsel for the petitioner has lastly submitted that the petitioner is having no criminal antecedent and is in judicial custody since 07.06.2025.

5. Learned Additional Prosecutor for the State has vehemently opposed the bail application of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Wazirganj P.S. Case No. 340 of 2025 (S.Tr. No. 941 of 2025) on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Xth, Gayaji.

(Ashok Kumar Pandey, J)

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