

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88135 of 2025

Arising Out of PS. Case No.-224 Year-2025 Thana- KUMAR KHAND District- Madhepura

1. Khushbu Khatun @ Juli W/o- Sharfaraj Ragib @ Md. Sarfraj Ragib R/v- Bhokrahim, Ps- Kishanpur Dist- Supaul
2. Sharfaraj Ragib @ Md. Sarfraj Ragib S/o- Mr. Najjo @ Najjo @ Mohammad Najibur Rahman R/v- Bhokrahim, Ps- Kishanpur Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Iliyas S/o- Md. Nasir R/v- Yauapatti Ps- Kumarkhand Dist- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pooja Prasad
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 137(2), 96, 3(5) of BNS, 2023.

3. The prosecution case in brief is that the informant, Md. Iliyas has lodged an FIR to this effect that on dated 26.09.2025 at night, informant got information that Md. Gauhar Alam @ Ladla, Md. Khalid, Hamida Khatoon, Sharfaraj Raghib, Khushboo Khatoon @ Juli along with some unknown persons under conspiracy kidnapped the minor grand-daughter of the informant with intention of having physical relation and selling her for prostitution. Further, alleged that Md. Gauhar



has fired from his school as private teacher due to bad habit with girls specially informant's minor grand-daughter at Sufa Public School, Supaul. Thereafter, Md. Gauhar @ Ladla along with Md. Khalid under conspiracy kidnapped the minor grand-daughter of informant with intent to physical relation and selling her for prostitution. Thereafter, informant lodged this case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioners and the petitioner has no criminal antecedent, as statement made in para 3 of the bail application. Learned counsel for the petitioners further submits that the from statement of victim recorded under Section 183, does not support the prosecution case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that from perusal of the statement of the victim girl recorded under Section 183 BNS, in which she does not support the case of the prosecution and in such view of the matter, I am inclined to grant privilege of anticipatory bail to the petitioners.



7. Let the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Madhepura, in connection with Kumarkhand P.S. Case No. 224 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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