

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92047 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- Bhatni District- Madhepura

Md. Afroz Son of Md. Laltu Resident of village Haribola, P.S.- Bhatni,
District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pooja Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Bhatni P.S. Case No. 2 of 2025 registered for the offences under
Sections 329(3), 329(4), 137(2), 96, 352, 351(2) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the allegation against
the petitioner and other accused persons is that they entered the
house of the informant with arms and forcibly abducted the
minor daughter of the informant and fled away on a four-
wheeler vehicle.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and in fact the girl was recovered and in her statement given under Section 183 of the BNSS, she has categorically stated that she had gone out of her house on 03.04.2025 and had called the petitioner, with whom she had gone to Bhagalpur. The victim has further made a statement that her family has lodged a false case against the petitioner and others, as she had gone with the petitioner on her own and only to coerce the victim not to meet the petitioner a false case has been lodged. It has further been submitted that apparently the allegations of abduction get falsified from the statement of the victim girl and from the statement made under Section 183 of BNSS, it would be evident that the age of the girl was 17 years and she had returned to her parents' house just the next date of the so-called abduction. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bhatni P.S. Case No. 2 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two 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.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is



allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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