

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.16 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- JAMUI District- Jamui

Md. Sajid son of Md. Samim Ansari @ Md. Shamim Village- Marwa, Police
Station- Jamui, District -Jamui

... .. Appellant/s

Versus

1. The State of Bihar
2. Nitu Devi Wife of Tuntun Paswan Village- Madwa, Police Station- Jamui,
District -Jamui

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 17-07-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. No one appears on behalf
of respondent no.2 inspite of service of notice.

2. The instant appeal has been preferred against the
order dated 19.11.2025 whereby the prayer for grant of
anticipatory bail of the appellant in connection with Jamui P.S
Case no.413 of 2025 registered under sections 96 of the
Bharatiya Nyaya Sanhita, 2023 and section 3(i)(r)(s) of the SC
and ST (Prevention of Atrocities) Act, 1989 was rejected by the
learned trial Court.

3. As per the prosecution case, the informant states that
his 14 year old minor daughter was taken away by the appellant
for the purpose of marriage. On going to the house of the



appellant to complain, the informant states that they were abused in the name of their caste. The informant further states that he is convinced that on 17.7.2025, the appellant has taken away his daughter in the vehicle bearing registration no. BR-09AR-2356.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the case. Referring to the FIR, it is submitted that the occurrence has been described therein in two parts. Firstly, the kidnapping of the minor daughter of the informant by the appellant and secondly the family members of the informant being abused on going to the house of the appellant. So far as abusing the family members of the informant is concerned, admittedly the appellant was not present at his house, even as per the informant's case. So far as the kidnapping of the minor daughter of the informant is concerned, the daughter of the informant returned and her statement was recorded both under sections 180 and 183 of the B.N.S.S. wherein she has not supported the prosecution case and states that she was not kidnapped by any person.

5. The appeal is opposed by learned Special Public Prosecutor for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation including the



statement of the victim recorded under sections 180 and 183 of the B.N.S.S., the submissions made by learned counsel for the appellant and the appellant not having any criminal antecedent, the Court is inclined to allow the instant appeal.

7. The appeal is allowed and the order dated 19.11.2025 passed in Anticipatory Bail Petition no.1327 of 2025 by the learned District & Additional Sessions Judge-I-cum-Special Judge SC/ST, Jamui rejecting the prayer for anticipatory bail of the appellant is hereby set aside.

8. It is directed that the appellant above named, in the event of arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Jamui P.S Case no.413 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-I-cum-Special Judge SC/ST, Jamui.

(Partha Sarthy, J)

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