

In the Court of Additional Sessions Judge - I, Darbhanga

Present : Neeraj Kumar - II, BHJS, BR00552

ABP No. 589/2026

(Arising out of Laheriasarai P.S. Case No. 634/25)

Md. Sarfaraj Versus the State of Bihar

Md. Sarfaraj @ Saraj, Aged about 19 years, S/o Md. Munna, R/o Mohalla – Gannipur
Tarauni, P.O.- Subhankarpur, P.S. - Bahadurpur, District - Darbhanga

----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri Ajit Kumar, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

ORDER

28.04.2026

1. The petitioner above named sought anticipatory bail in connection with Laheriasarai P.S. Case No 634/25 registered for the offences under Section 96, 3(5) of the Bhartiya Nyay Sanhita (hereinafter referred to as 'BNS' for short).
2. Learned counsel appearing on behalf of the petitioner submitted that he was innocent and had not committed any offence. It was further submitted that petitioner had not filed bail petition of any sort earlier this court or either before any superior court. It was also submitted that the petitioner had clean antecedent. It was further submitted that the entire allegation as alleged in the FIR are all false and fabricated. It was also alleged that the victim girl has been recovered and her statement has been recovered U/s 183 of BNSS in which she had clearly stated that no one kidnapped her. It was further alleged that from statement of the victim girl no case u/s 96 of BNS had been made out. It was submitted that the petitioner was ready to abide by the condition(s) imposed upon him by the learned court. The learned counsel prayed for grant of anticipatory bail to the petitioner.
3. Learned Public Prosecutor opposed the petition and prayed to reject it.
4. Heard both the sides, perused the case record and the case diary.
5. The prosecution case according to FIR in brief is that on 18.08.2025 informant's minor maternal grand daughter went to her school. She was taken by Md. Meraz on his motorcycle and she didn't return. It is alleged that the petitioner along with other accused persons conspired and kidnapped the minor girl with an intent to kill or sell her.
6. In her statement under section 183 of BNSS the girl only imputed the petitioner to assault her. The victim neither in her statement under section 180 nor in 183 of the BNSS alleged the petitioner to have kidnapped her. The petitioner is the brother of the main accused. The petitioner has no criminal antecedent.

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7. In the facts and circumstances as discussed above, the instant anticipatory bail petition filed on behalf of the petitioner namely **Md. Sarfaraj** stands **allowed**. In the event of arrest or surrender by the petitioner within 21 (Twenty One) days of receipt/production of this order, he is directed to be released on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Jurisdictional Court concerned with an undertaking as stipulated under Section 482(2) of the BNSS.
8. It is made clear that this order has no bearing on the merits of the case.
9. Let a copy of this order be sent to the concerned Jurisdictional Court.
10. Let this case record be deposited in the Record Room, Civil Court, Darbhanga after all due diligence.

(Neeraj Kumar - II)

District & Addl. Sessions Judge-I

Darbhangha

28.04.2026

Date of Order	28.04.2026
Date of Reserving Order	28.04.2026
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