

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-IST PURNEA

Bail Petition No. 167/2026

U/s 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023

(Arising out of Bhawanipur P.S. Case No. 286/2025)

IN THE MATTER OF:-

Md. Raj, aged about 30 years, S/o Md. Mumtaz

R/o village- Bhawanipur Circle Tola, P.S.- Bhawanipur & District- Purnea Accused Petitioner
Vs.

State of Bihar Opposite Party

19.03.2026

The bail application has been filed on behalf of the accused petitioner namely Md. Raj who is in custody since 18.12.2025 in connection with Bhawanipur P.S Case No. 286/2025 registered for the offence punishable u/s 87, 137(2) of BNS, 2023.

2. The LCR is available with the bail case record. The petitioner in para 2 of the bail application has given a certificate with respect to non-filing of any ABP or regular bail application before this Court or before Hon'ble High Court, Patna.
3. Heard the learned counsel Sri Kumar Santosh Singh appearing on behalf of the petitioner and the **victim** through Sri Rahul Raja, the learned APP appearing on behalf of the opposite party.
4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has committed no offence of kidnapping of the victim to compel her marriage with the petitioner but the victim is the legally wedded wife of the petitioner and before the alleged incident, both are married each other and the petitioner has one criminal antecedent lodged by the victim's mother in relation to the same nature of incident and in such, the petitioner has been languishing in jail custody since 18.12.2025. On these grounds, it has been prayed for grant of the regular bail to the petitioner.

On the other hand, learned A.P.P. appearing on behalf of the opposite party opposes the prayer of bail.

5. The prosecution case, in short, is that the informant Gaurav Kumar has got an FIR lodged on 17.12.2025 alleging therein that on 17.12.2025 at about 11:00 AM, his sister Payal Kumari went for Purnea but did not return back to home till 05:00 PM and thereafter, he along with his family members started searching for his sister and in the course of searching, he came to know that the petitioner kidnapped his sister and it is also mentioned in the FIR that her marriage was solemnised with Abhay Anand (teacher) six months ago and hence the FIR.
6. Perused the bail application along with the LCR including its case diary and the record of Spl. POCSO Case No. 74/2023 arisen from Bhawanipur P.S. Case No. 145/2021. The LCR of the instant case reveals about the submission of the charge-sheet finding the case true against the petitioner for the offence punishable u/s. 64(1), 137(2) of BNS, 2023 as mentioned in para 63 of the case diary and the para 55 of the case diary indicates about one criminal antecedent as Bhawanipur P.S. Case No. 149/2025 and the para 6, 47-48 of the case diary reveals the statement of the witnesses corroborating the factum of the occurrence and in both the cases lodged

as Bhawanipur P.S. Case No. 286/2025 and Bhawanipur P.S. Case No. 145/2021, the victim is Payal Kumari and in both the cases her statement has been recorded u/s. 164 of the Cr.P.C. / u/s. 183 of BNSS, 2023 and it is admitted that the victim is major aged about 19-20 years.

In her statement recorded u/s. 164 of Cr.P.C. in Bhawanipur P.S. Case NO. 286/2025, she has asserted that she was in love with the petitioner Raj since last three years and her family members did not agree for their marriage and hence, they got their marriage solemnised in Puran Devi Mandir, Purnea and proceeded with her husband Raj for conjugal life and this case against the petitioner has been running before the learned PocsO Court and after charge, her deposition as PW-1 has also been recorded in which she has admitted the same as in the statement u/s. 164 of the Cr.P.C. Further, the victim's brother Gaurav Kumar got an FIR lodged against this petitioner for the incident alleged to be occurred on 17.12.225 for kidnapping of her sister Payal Kumari by the petitioner and the statement of his sister recorded u/s. 183 of BNSS, 2023 reveals that no divorce was legally obtained by the victim (informant's sister) from the petitioner and she has admitted that her marriage was performed with the petitioner Raj in the year 2021 and in such, the petitioner has been in custody since 18.12.2025.

7. Considering the above facts and circumstances of the case including the custody period of the petitioner, the prayer for privilege of regular bail is hereby allowed and it is the direction to release the petitioner namely Md. Raj on bail on furnishing the bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of like amount to the satisfaction of the Court of Sri P.K. Ravi, Ld. JM 1st Class, Purnea in connection with Bhawanipur P.S. Case No. 286/2025 subject to the conditions that one of the sureties must be a close relative of the petitioner and the petitioner will remain physically present as and when required and he will not indulge in any criminal activities or commission of any offence after being released on bail and the sureties shall make a declaration giving therein all the relevant particulars at the time of furnishing the bail bond as per Section 486 of the BNSS, 2023 and the petitioner along with sureties shall furnish their respective mobile numbers.

Dictated

sd/-

(Narendra Kumar)

Addl. Sessions Judge-I

Memo No. Dated 23.03.2026

Copy of bail order with LCR is forwarded to the Court of Sri P.K. Ravi, learned J.M. 1st Class, Purnea in connection with Bhawanipur P.S. Case No. 286/2025 for information and needful.

(Narendra Kumar)

Addl. Sess. Judge-I

Date of Order	19.03.2026
Date of Reserving Order	
Uploading Date	23.03.2026
Uploaded by	Amit Adarsh, Stenographer