

In the Court of Sessions Judge, Supaul
B.A.-163/2026 and BA-167/2026
(Arising out of Birpur(Balua Bazar) P.S. Case No.67/2026)

	<p style="text-align: center;"><u>BA-163/2026</u></p> Rijaullah, S/o- Akmal Hussain, R/o- Lalpur Goth, Ward No.13, PS- Birpur, District-Supaul;Accused/Petitioner Vs. State of BiharO.P.	
	<p style="text-align: center;"><u>BA-167/2026</u></p> Naresh Ray @ Naresh Kumar, S/o- Shambhu Kumar Ray, R/o- Chapin, Ward No.05, PS-Bhimpur, District- Supaul;Accused/Petitioner Vs. State of BiharO.P.	
<p><u>19/03/26</u></p>	<p>Ld. Counsel for petitioners Sri. Sanjay Kumar Singh and Sri. Birendra Kumar Jha, Advocates.</p> <p>Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off two bail applications i.e., BA No.163/2026 filed on behalf of accused/ petitioner, namely Rijaullah, who is in judicial custody since 09.02.2026 and BA No.167/2026 filed on behalf of accused/ petitioner namely Naresh Ray @ Naresh Kumar, who is in judicial custody since 09.02.2026. As both the bail applications arises out of same P.S. i.e., Birpur (Balua Bazar) P.S. Case No.67/26, u/s- 96, 324(4), 3(5) of BNS.</p> <p>Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to local politics and enmity. They further submitted that accused/ petitioners have not involved in any other case and having the clean antecedent. They further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. It is also submitted that both the accused/ petitioners are in judicial custody since 30.01.2026 and no useful purpose would be served by keeping the accused/ petitioners behind the bar.</p> <p>Ld. PP for the State strongly opposed the prayer of bail application.</p> <p>In brief, the prosecution story is that on dated 08.02.2026, a written application was given by the informant namely Sujit Rai to the police of PS Balua Bazar and as per the statement of the informant that on dated 07.02.2026 at about 01:00 P.M., his daughter(name has not been disclosed here), aged about 14 years and his younger brother's daughter, aged about 15 years were kidnapped by some unknown persons by breaking the window of the house of the informant. The informant tried to search both the girls in his village but they have not recovered so far. Thereafter, the informant has given the written application to the</p>	<p>Contd.</p>

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police.

Argument heard from both sides and perused the record as well as case diary. Admittedly, both the accused/ petitioners are in judicial custody since 09.02.2026. As per para No.3 of the case diary, on 08.02.2026 both the victim girls were recovered by the RPF Police of PS Jogbani and also with them a boy namely Rijallah. Thereafter, both the victim girls and the accused Rijallah were handed over to the police of PS Balua Bazar at about 03:30 P.M. The police also recorded the re-statement of the informant namely Sujit Rai and the statement of the witnesses namely Sanjit Rai, Rita Devi, Rubi Devi and Prashant Jha. The witnesses namely Rita Devi, Rubi Devi and Prashant Jha have categorically stated that the accused Rijallah and Naresh Rai have enticed the victim girls and kidnapped them for immemorial purposes or for solemnizing the marriage. As per para No.33 of the case diary, the date of birth of the victim girls are 21.05.2010 and 07.06.2009 respectively. Admittedly, both the victim girls are minor and the police also recorded the statement of the victim girls as stated in para No.38 of the case diary. Though both the victim girls have not made any allegation against the accused Rijallah and Naresh Rai. Both the victim girls were sent to Child Welfare Committee, Supaul. On minute scrutiny of the entire case diary, it transpires that two minor girls were taken away from their house and both of them were recovered from Indo-Nepal Border by Jogbani Railway Police. Both the victim girls are minor. Their statements before the police or before the Ld. Magistrate during the course of investigation is having less importance. The trafficking of the minor girl from the border area are rampant. The allegation against both the accused/ petitioners are very serious in nature. The investigation of this case is in primary stage.

Hence, taking into consideration the seriousness of the allegation, I find that both the accused/ petitioners are not entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of both accused/ petitioners, namely Rijallah and Naresh Ray @ Naresh Kumar stands, **Rejected.**

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul