

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26638 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- KORHA District- Katihar

Shahabuddin @ Md. Shahabuddin, Son of Adbul Rahman village- Lahasa,
PS- Mansahi, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Korha P.S. Case No. 256 of 2024 registered for the offences punishable under Sections 137(2), 140(3) and 3(5) of the BNS.

3. Allegedly, while the elder son of the informant, namely, Anisur Rahman, who was engaged in business of Makhana, was going to Kheriya on his Tiago car, in the meanwhile, the petitioner along with other 4-5 unknown persons forcibly abducted and took him away.

4. Learned counsel for the petitioner contended that the FIR itself suggests that both the petitioners and the informant had involved in the business of Makhana and, in fact,



on the fateful day, both the parties entered into a discussion over the payment of outstanding amount of Rs.5.50 lacs, which was due to the informant's son. On account of a dispute of money transaction in relation to trade of Makhana, co-accused Mahfuz Alam, has also lodged a case bearing Mansahi P.S. Case No.102 of 2024, against Anisur Rahman, and soon thereafter, the present case has been lodged by the father (informant) of Anisur Rahman, alleging false and concocted story. Taking note of the aforesaid fact, co-accused Mahfuz Alam has been accorded the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 28.03.2025 passed in Cr. Misc. No. 13280 of 2025. Learned counsel for the petitioner lastly contended that be that as it may, the petitioner has absolutely fair antecedent and he undertakes that he will fully cooperate in the investigation and the proceedings of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the statement of Anisur Rahman was recorded under Section 183 BNSS, wherein it is specifically alleged that after his kidnapping, he was taken to the house of the petitioner, where the accused persons have assaulted him.

6. Regard being had to the submissions made on



behalf of the parties and considering the genesis of the occurrence as also the fact that one of the accused persons having identical allegation has been allowed the privilege of anticipatory bail, coupled with the fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Korha P.S. Case No. 256 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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