

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52819 of 2025

Arising Out of PS. Case No.-447 Year-2021 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Md. Shakil @ Md. Shakil Azad S/o Abu Jafar Resident of Raibhir Tola Chhapariya, Ward No. 10, PS- Shankarpur, District- Madhepura
 2. Md. Rustam S/o Abu Jafar Resident of Raibhir Tola Chhapariya, Ward No. 10, PS- Shankarpur, District- Madhepura
 3. Md. Naushad @ Naushad Alam S/o Md. Akram Resident of Raibhir Tola Chhapariya, Ward No. 10, PS- Shankarpur, District- Madhepura
 4. Shrawan Kumar Singh S/o Late Raj kishore Singh Resident of Raibhir Tola Chhapariya, Ward No. 10, PS- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abul Kalam Azad S/o Md. Yunus Resident of Vill.- Raibhir Tola Nazirabad, PS- Shankarpur, District- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Praveen Kumar Agrawal, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP
For the Complainant	:	Ms. Suman Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-08-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2.

2. The petitioners apprehend their arrest in a complaint case registered for the offence punishable under Sections 384 and 363 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on



account of land dispute, all these petitioners kidnapped son of informant and kept him for 11 months. Later on, the victim escaped from the confinement of these petitioners.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, Petitioner Nos. 1, 2 and 3 are own *patidars* of complainant and Petitioner No. 4 is co-villager and they have falsely been implicated in this case due to admitted land dispute between the parties. Police, after investigation, submitted closure report showing lack of evidence, which was accepted, however, on protest, cognizance has been taken against these petitioners. It is further submitted that the present complaint petition has been lodged after inordinate delay of 5 days and there is no plausible explanation for the same. Prior to lodging of the present case, mother of these petitioners filed a case vide Shankarpur P.S. Case No. 84 of 2012 against the complainant and his son and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged.

5. Learned A.P.P. for the State and learned counsel for the complainant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



6. Considering the facts and circumstances of the case, nature of accusation, case and counter-case between the parties and delay in lodging of the complaint petition, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Madhepura in connection with Complaint Case No. 447 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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