

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5042 of 2026

Arising Out of PS. Case No.-106 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Shamim Nadaf @ Md. Shamim Nadaf S/o- Md. Jalil Nadaf@ Jalil Nadaf Vill-
Manorba P.s-Bithan Dist-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the State : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 363, 366 and 506 of the
Indian Penal Code.

3. As per prosecution case, it is alleged that on
28.04.2024, wife of informant, along with two minor children,
was kidnapped by some unknown persons.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence.
Petitioner has been made an accused in this case merely on



suspicion. Moreover, charge-sheet has already been submitted and petitioner is in custody since 23.10.2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with other accused persons, kidnapped wife and children of informant. During investigation, the victim was recovered and in her statement recorded under Section 183 of the B.N.S.S., she has supported the prosecution case and has stated that this petitioner kidnapped her and forcibly established physical relations with her. Petitioner has got one criminal antecedent.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence, statement of the victim recorded under Section 183 of the B.N.S.S. and criminal antecedent of the petitioner, the prayer for grant of bail to the petitioner is rejected.

7. However, considering the fact that petitioner is in custody since 23.10.2025, the learned trial court is directed to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of a copy



of this order.

(Prabhat Kumar Singh, J)

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