

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8959 of 2026

Arising Out of PS. Case No.-403 Year-2025 Thana- PALASI District- Araria

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1. Md. Azim Son of Ali Hussain Resident of village- Dhangama,, Ward No.01, P.S.- Palasi, Araria, District- Araria, (BIHAR).
 2. Noor Hasan son of Md. Azim Resident of village- Dhangama,, Ward No.01, P.S.-Palasi, Araria, District-Araria, (BIHAR).
 3. Noor Alam son of Md. Azim Resident of village- Dhangama,, Ward No.01, P.S.-Palasi, Araria, District-Araria, (BIHAR).
 4. Farook son of Naeem Resident of village-Jokihat Mushahar Patti, P.S.- Palasi, District-Araria.
 5. Md. Rahim Son of Ali Hasan Resident of village- Majlispur Basti, P.S.- Gawal Pokhar, District - North Dinajpur, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 06-05-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Palasi Police Station Case No. 403 of 2025, dated 10.10.2025, disclosing offences under Sections 137(2)/140(3)/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that on 07.10.2025, in the morning at about 08:30 AM, the informant's son left his house, but did not return till



late night. After search, the informant came to know that the petitioners and others have kidnapped the informant's son aged about 14 years.

4. Mr. Madhav Jha, learned counsel for the petitioners, submits that the petitioners have falsely been implicated in the present case due to land dispute between the informant and petitioners. The petitioner no. 1 filed an application/objection before the Circle Officer, Jokihat, for survey of his ancestral property. He next submits that the informant is co-sharer of the petitioner no. 1 and there is another dispute between them for demarcation of residential land. He further submits that due to aforesaid disputes, the present FIR has been lodged against the petitioners with fabricated and concocted story. The petitioners are having no criminal antecedent.
5. On the other hand, learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioners and the boy, who returned after some time, in his statement recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita, has disclosed the name of the petitioners.
6. Having regard to the submissions made on behalf of the



parties and taking into consideration the fact that both the parties are co-sharer having dispute regarding land and survey between them and victim boy was not recovered by the police, but had voluntarily appeared after some time, I am inclined to grant the petitioners privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 Chief Judicial Magistrate, Araria, in connection with Palasi Police Station Case No. 403 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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