

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12138 of 2026

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

Shamim @ Md. Shamim Shah S/o Ali Hussain @ Ali Hasan R/o Village -
Jokihat, Mushahar Patti, P.S- Jokihat, District- Araria Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-04-2026

Heard Mr. Madhav Jha, learned counsel for the petitioner and Mr. Lalan Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 08.11.2025 in connection with Palasi P.S. Case No. 403 of 2025, FIR dated 10.10.2025 registered for the offence under Section 137(2), 140(3), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to the prosecution case, the informant alleged that his son was kidnapped by the petitioner along with other co-accused person, when his son went to Palasi Bazar. When the informant asked about his son from the accused persons, they abused and also threatened.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in this case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner



has not committed any offences as alleged in the F.I.R. and due to previous land dispute, the petitioner has been made accused in the present case and nothing has come during investigation against the petitioner and the petitioner is rotting in judicial custody since 08.11.2025.

5. Learned A.P.P. for the State, on the other hand, on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that victim was recovered and his statement was recorded under Section 183 BNSS in which he has stated that the petitioner and other co-accused persons had kidnapped him.

6. Considering the facts and circumstances of the case as well as nature of allegation supported by statement of the victim, I am not inclined to enlarge the petitioner on bail in connection with Palasi P.S. Case No. 403 of 2025, pending in the Court of C.J.M., Araria.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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