

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14368 of 2026

Arising Out of PS. Case No.-110 Year-2025 Thana- SIWAIPATTI District- Muzaffarpur

Shiv Shankar Kumar Son of Prabhu Mahto Resident of Village- Siwaipatti,
P.S.- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137(2), 140(1) and Section 3(5) of BNS.

3. The case of the prosecution is that the minor son of the informant has gone to the momo shop in evening but he did not return till night, he was being searched. The informant came to know that nine named accused persons have kidnapped the minor son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that during course of investigation, the victim was recovered and he has given his



statement recorded under Section 183 of BNSS wherein he has stated that on 22.06.2025, one Mani Kumar met him where he smoked cigarette and drank sting, after that, he got unconscious. He went to the house of Prabhu Uncle. He has further stated that this petitioner disclosed him that police has arrived at village and took him towards brick kiln and from there, one Upendra boarded him on a tempo and gave him Rs. 2000/-. From there, he went to Motihari and likewise different places. Learned counsel has submitted that from perusal of the statement of the victim, it is clear that actually, he was not kidnapped by anyone and as far as role of this petitioner is concerned, it has only been stated by the victim that this petitioner has taken him near brick kiln and from there, one Upendra has boarded him in a tempo. Moreover, the petitioner is languishing in judicial custody since 04.12.2025.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of regular bail and has submitted that petitioner is having two criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be released on bail in connection with
Siwaipatti P.S. Case No. 110 of 2025 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned S.D.J.M., East Muzaffarpur.

(Ashok Kumar Pandey, J)

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