

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35581 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- Madanpur District- Araria

1. Shabab Anwar @ Shabab Anwer Son of Sarfaraz Ahmad Resident Of Village- Bairgachhi, Ward No- 7 P.s.- Bairgachhi, District- Araria
2. Md. Shadan Alam @ Shadan Alam Son of Md. Tabrez @ Md. Tavrez Alam Resident Of Village- Jhamta Ward no. 1, ps- Tarabari, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioners and
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Madanpur P.S. Case No. 02 of 2026, for allegedly having committed offence under Sections 137(2), 140(1) and 3(5) of the BNS.

3. As per the prosecution case, which is based on the written report submitted by the informant to the effect that on 13.02.2026 at about 6:30 P.M. his brother Md. Wasik had gone to Madanpur Bazar on his motorcycle to purchase vegetables and certain articles. When the informant called on his mobile number, he did not receive the phone call. The informant



went to Madanpur Bazar to search his brother, where he came to know that the petitioners herein and two other persons kidnapped his brother by a four wheeler bearing Registration No. BR38AP9814 and have taken him towards Patengna Palasi.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that the brother of the informant and petitioners are friends and are well-known to each other. The brother of the informant voluntarily accompanied the petitioners and all went to Madanpur and in course of negotiation/discussion a free fight took place between the parties. The brother of the informant sustained certain injuries, however, the treating Doctor found injuries to be simple in nature. He further submits that the parties have compromised the case in between them and a petition to that effect has also been filed before the Court of learned District & Sessions Judge, Araria on 28.04.2026.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the rival submissions and after going through the records, it appears that the allegation of kidnapping the brother of the informant is there against the



petitioners. Subsequently, the brother of the informant was found and certain injuries were there on the body of the brother of the informant. From perusal of Annexure-2 to the present anticipatory bail petition, it would transpire that the injuries found on the body of the brother of the informant has been found to be simple in nature. Further, a compromise has already been arrived between the parties and a petition thereof has already been filed before the Court of learned District & Sessions Judge, Araria on 28.04.2026. The petitioners have got two criminal antecedents in which, they are said to be on bail. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six 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 the learned JMFC, Araria in connection with Madanpur P.S. Case No. 02 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take steps for cancellation



of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.,

(Ritesh Kumar, J)

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