

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40420 of 2026

Arising Out of PS. Case No.-86 Year-2026 Thana- PIRBAHOR District- Patna

Shamimul Haque @ Shahzada, Son of Late Abdul Hamid Resident of
Shanehelal Hotel, Sabzibagh, P.S.- Pirbahore, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-07-2026 Heard learned Advocate for the petitioner and learned
Advocate for the State.

2. The petitioner apprehends his arrest in connection with Pirbahore P.S. Case No.86 of 2026 registered for the offences punishable under Sections 308(4), 352, 351(3) and 3(5) of the BNS.

3. The prosecution case, in brief, is that on the alleged date and time of occurrence, the petitioner, along with the other accused persons, came to the house of the informant armed with a pistol and threatened the informant's wife to convey a message to the informant that he should withdraw Pirbahore P.S. Case No. 11 of 2026, failing which he would be killed.

4. Learned Advocate for the petitioner submitted that the previous animosity is evident from the fact that earlier the



informant had instituted Pirbahore P.S. Case No.11 of 2026 against the petitioner and others and the animosity is a two-edged sword which cuts both the sides. It is further contended that although the petitioner had gone to the house of the informant, the allegation of extending criminal intimidation is not corroborated by any independent witness. Moreover, the petitioner undertakes that he would not indulge in such activities in future. Besides, during the course of investigation, no other incriminating material has been collected against the petitioner.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is a serious allegation against the petitioner of having threatened the informant to withdraw the earlier case instituted against him, besides the petitioner bears two criminal antecedents.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and considering the nature of allegation, coupled with the fact that no untoward incident occurred pursuant to the alleged threat, besides the undertaking of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today,



on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Patna in connection with Pirbahore P.S. Case No.86 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) If the petitioner is found involve in intimidating/ threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to file appropriate application for cancellation of his bail bond(s).

(Harish Kumar, J)

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