

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10026 of 2018**

Arising Out of PS.Case No. -780 Year- 2017 Thana -FORBESGANJ District- ARRARIA

- =====
1. Md. Shamshad @ Shamshad Ansari @ Shamshad, S/o Md. Ishaque Ansari,
  2. Md. Mukhtar @ Mukhtar Ansari S/o Md. Ishaque Ansari, Both are R/o Village- Rampur South , Ward No. 10, Tola Nankar, P.S.- Forbesganj, Distt.- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      06-04-2018                      Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek anticipatory bail in connection with Forbesganj P.S. Case No. 780 of 2017 for the offence registered under Sections 364, 323, 504/34 of the Indian Penal Code.

The case of the prosecution is that traceless person i.e. the husband of the informant herein is said to have gone with the petitioners for the purposes of doing the labour job and thereafter the traceless person has not come back to home till date.

The learned counsel for the petitioners submits that on mere suspicion the petitioners have been roped in and they have no complicity in the matter which is apparent from perusal of the case diary. Moreover, the present FIR has been lodged after a



delay of three years .

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 780 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioners shall join investigation and they should be present at the place where they are directed to appear by the Investigating Agency and in case, they do not cooperate with the investigation, the prosecution would be free to approach this Court for cancellation of bail.

**(Mohit Kumar Shah, J)**

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