

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11627 of 2019

Arising Out of PS. Case No.-772 Year-2018 Thana- SITAMARHI District- Sitamarhi

1. Nek Mohammad @ Md. Nek Mohammad Ansari, aged about 35 years, Male, Son of Jumaddin Ansari @ Jummadin Anasari, Resident of Village - Dighi, Koria Tola, P.S-Bathnaha, Dist-Sitamarhi.
2. Md. Anamul Ansari @ Anamul Ansari, aged about 29 years, Male, Son of Jumaddin Ansari @ Jummadin Anasari, Resident of Village - Dighi, Koria Tola, P.S-Bathnaha, Dist.-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ashhar Mustafa, Advocate.
For the State	:	Mr. Ram Priya Sharan Singh, A.P.P.
For the Informant	:	M/S. Devendra Kumar, Pramod Kumar Verma and Ranjit Kumar Thakur, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-05-2019 Heard learned counsels for the petitioners, informant and learned A.P.P. for the State.

The petitioners are languishing in custody since 07.08.2018 in a case for the offence registered under Sections 364 and 302/34 of the IPC.

The prosecution story, in brief, is that the informant Md. Sagir is working in Nepal. On 31.07.2018, all F.I.R. named accused persons had kidnapped his minor daughter, namely, Nusrat Khatoon aged about 15 years on four wheeler vehicle and kept her anywhere. On getting information, the informant came from Nepal and started to search her and during search,



one Jiwrail told him that the accused persons had kidnapped his minor daughter to kill her. He talked with accused Md. Ashik Ansari and also talked with his daughter, who was fear to death. On 06.08.2018, he learnt that the accused persons had killed his minor daughter and tried to disappear her dead body.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have been made accused in the present case merely on the basis of suspicion. There is no substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsels for the State and informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi, in connection with Sitamarhi P.S. Case No. 772 of



2018.

(Sudhir Singh, J)

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