

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25176 of 2021**

Arising Out of PS. Case No.-24 Year-2020 Thana- PARSAUNI District- Sitamarhi

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MD. SABIR NADAF @ SABIR NADAF Son of Late Md. Munif Nadaf  
Resident of Village - Dema, P.S.- Parsauni, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

5      10-01-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 365 of the Indian Penal Code to which sections 302, 201 and 34 of the Indian Penal Code were added subsequently.

As per the prosecution case, the son of the informant was called and taken away by the petitioner. It is stated that on the informant's son not returning, she went and made enquiries but her son's whereabouts could not be known. She states that she has reasonable apprehension that her son has been kidnapped.

It is submitted by learned counsel for the petitioner that for an occurrence alleged to have taken place on 21.3.2020,



the F.I.R. was registered on 2.4.2020 and the dead body of the son of the informant was found on 5.4.2020 in a pond. Except suspicion, no incriminating material has transpired against the petitioner in course of investigation. At best the case against the petitioner is of last seen. The petitioner is in custody since 6.7.2020 and investigation in the case has concluded. He has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for 1 year 6 months, the Court directs the petitioner to be enlarged on bail in connection with Parsauni P.S. Case no.24 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Sitamarhi.

**(Partha Sarthy, J)**

Saurabh/-

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