

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49404 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

1. NAJABUDDIN ANSARI @ NEJAMUDDIN ANSARI S/o- Late Qeyamuddin Ansari Resident of Village - Brahamsthan, P.S.,- Bhagwanpur Hat, District - Siwan.
2. HAZRA BIBI W/o- Nejabuddin Ansari @ Nejamuddin Ansari Resident of Village - Brahamsthan, P.S.,- Bhagwanpur Hat, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners as well as learned APP for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code.

The allegation against the petitioners is that they are involved in the kidnapping of the minor daughter of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the statement of the victim was recorded u/s 164 Cr.PC in which she has not alleged any offence against the petitioners, and also stated that she went to Bangalore with co-accused Samshad Ansari and she has pregnancy of 7 months from Samshad Ansari. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bhagwanpur Hat P.S. Case No.167



of 2022, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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