

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23209 of 2023

Arising Out of PS. Case No.-309 Year-2015 Thana- BIHAR District- Nalanda

MD. INAYAT @ ANAYAT SON OF EKRAM RESIDENT OF VILLAGE -
NATESHAR, P.S. - NEEMCHAK BATHANI, DISTT. - GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 370,
370(A) and 371 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

4. The informant alleges that three named accused
persons took his son to Hyderabad for his better education in
Madarsa, it is next alleged that on 06.04.2012, son of the
informant informed the informant on telephone that he was not
admitted in *Madarsa* rather he was forced to work in a bangle
factory of the petitioner, further on 13.04.2012 Satlam Inayat
informed the informant that his son has been missing, thus, the



informant, on the basis of suspicion, alleges that the accused persons including the petitioner has trafficked his son for illegal purpose.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that earlier Bhawani Nagar P.S. Case No. 87 of 2012 was instituted at Hyderabad by the informant of this case and later in 2015, the present case came to be instituted. Learned counsel next submits that during the course of investigation, none of the witnesses have supported the case of the prosecution.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is allegation against this petitioner along with other accused persons of taking the son of the informant to Hyderabad in name of better education, but his son informed that he was forced to work in a bangle factory of the petitioner and was not admitted in any *Madarsa* and thereafter he went missing for which the informant earlier in Hyderabad had instituted a case as recorded hereinabove, but when no action was taken the present FIR was instituted.

7. The learned A.P.P. for the State further submits that



no doubt from perusal of the case diary, which the I.O of the case has brought, it appears that the investigation has been lackadaisical. It is next submitted that the I.O of the case who is present in the Court in compliance of the order dated 13.07.2023 has joined recently and is investigating the case seriously, but the petitioner is evading the process of law.

8. Learned counsel for the petitioner rebuts the submissions of the learned A.P.P. for the State and submits that petitioner will not abscond rather will co-operate in the investigation and will present himself as and when required by the Investigating Officer of the case for eliciting the truth and for proving his innocence.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihar P.S. Case No. 309 of 2015 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



10. However, in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating or not presenting himself as and when called for, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

11. Let a copy of this order be also sent to the concerned Police Station through the learned Trial Court.

12. Further, it is also made clear that in the event if the charge sheet is submitted connecting the petitioner with the offence, then the present anticipatory bail order shall lose its effect.

13. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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