

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26867 of 2023**

Arising Out of PS. Case No.-631 Year-2021 Thana- SIWAN CITY District- Siwan

MD. JUNAID Son of Abdul Hasan Resident of Village - Tetariya, P.S.-
Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 10-08-2023 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 offence under Section 365 of the Indian Penal Code and added Sections 364, 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution story, on 07.11.2021 at about 11:00 A.M., the informant's son Vishal Singh along with Upendra Singh and Permendra Yadav went in the informant's Scorpio bearing Registration No. BR-29-PA-9458 but till late night did not return home. On 08.11.2021 at about 07:30 A.M., the informant received a call who informed her that her Scorpio



is lying in Mirganj police station in an unclaimed condition. It was submitted that though the Scorpio was found, the son of the informant along with his two friends could not be located.

4. It is submitted on behalf of petitioner that name of the petitioner surfaced during course of investigation in the confessional statement of co-accused Sandeep Kumar and Ayub Khan. Save and except confessional statement, there is no other material against this petitioner to show his complicity in the aforesaid crime. Co-accused Mahaful Kuraishi, having identical and similar allegation, has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 11.07.2023 passed in Cr.Misc. No. 60479 of 2022. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Siwan Town P.S. Case No. 631 of 2021, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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