

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32421 of 2022

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

Md. Samim Asgar @ Samim Asgar, S/o Md. Asgar Ali, Resident of Purana Kila, P.S.- Siwan Town, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 15-05-2023 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner in the present cases is seeking pre-arrest bail in connection with Siwan Town P.S. Case No. 631 of 2021 registered for the offence punishable under Section 365 of the Indian Penal Code. The petitioner has got one criminal antecedent.

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.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this case.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that the informant's son and two others who went in the Scorpio were killed.

Having regard to the seriousness of the allegations wherein this Court has been informed that not only the son of the informant but even the two others who went in the Scorpio have been killed, this petitioner has one criminal antecedent and his name has transpired in the statement of the apprehended accused, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer is refused. The application is dismissed.

(Rajeev Ranjan Prasad, J)

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