

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68107 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- ADAPUR District- East Champaran

NIRODHA MIAN @ NOOR HODA ANSARI @ NURUL HODA ANSARI
Son of Sahebjan Ansari @ Sahebjan Miyan R/v- Ghorasahan Ward No. 10,
P.S.- Harpur, District- East Champaran Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 26-04-2023 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Adapur (Harpur) P.S. Case No. 182 of 2021, registered for the offences punishable under Sections 363, 365 of the Indian Penal Code.

As per allegation, when the son of the informant, who was aged about 12 years old, was playing in orchard, co-accused Satyendra Mahto called him and took him by his motorcycle. The boy did not return. One month prior, he had also taken away his son, but his son returned in the same day in evening. Further allegation is that co-accused Satyendra Mahto had kidnapped the son, who is still traceless.

The learned counsel for the petitioner has



submitted that petitioner is innocent and has falsely been implicated in this case. Co-accused Subhan Ansari, on the similar allegation, has been granted bail. He has submitted further that the petitioner is not named in the FIR, but the informant in his re-statement has taken the name of the petitioner. He has also submitted that except confessional statement of co-accused, there is nothing against the petitioner in the entire case diary.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the witnesses, in paragraph nos. 12, 13 and 14 of the case diary, have stated that when co-accused Satyendra Mahto was forcibly seating the son of the informant on his motorcycle, the petitioner was also there with him. He has submitted further that Satyendra Mahto, in his self-inculpatory confessional statement, has furnished the vivid description of the entire occurrence and stated that he along with other accused persons, after committing murder of the deceased concealed his dead body in a carton and threw the carton in the river. The learned APP has also submitted that on similar footing, the bail petition of co-accused Nishant Kumar @ Dabloo



has been rejected by a co-ordinate Bench by this Court.

In my view, the petitioner does not deserve the
privileges for bail, which is hereby rejected.

The learned court below is directed to expedite the
trial and dispose it of within a period of nine months.

(Nawneet Kumar Pandey, J)

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