

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70689 of 2023

Arising Out of PS. Case No.-130 Year-2018 Thana- CHIRAIYA District- East Champaran

Sadam Ansari @ Sadam Hussain @ Saddam Ansari @ Saddam Hussain Son
Of Late Rasgulam @ Rashgulam Ansari R/O Village- Senuwariya, P.S.-
Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 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 Section 365 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that the petitioner has abducted his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is inordinate and abnormal delay of nine months in lodging the F.I.R. without assigning any plausible and



convincing reason for the said delay, which creates serious doubt about the prosecution case. He further submits that there is no material available against the petitioner and the investigation is still going on. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that the son of the informant is still trace-less.

6. Considering the facts and circumstances of the case and the fact that there is delay of about nine months in lodging the present F.I.R., let the above named petitioner, be released on bail, in the event of his 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) 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 Chiraiya P.S. Case No. 130 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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