

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78309 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- SITAMARHI District- Sitamarhi

Md. Ahmad Ansari, Son of Suleman Ansari R/o vill - Bishunpur, P.S. - Bela,
Distt. - Sitamarhi

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Sitamarhi P.S. Case No. 21 of 2023 registered for the offences punishable under Section 365 of the Indian Penal Code and subsequently added Sections 302, 201, 120-B and 363 of the I.P.C. He has no criminal antecedent as stated in paragraph '3' of the application.

3. Allegation against the petitioner is to kidnap and commit murder of son of the informant due to previous enmity.

4. Learned counsel appearing on behalf of the



petitioner submitted that save and except suspicion nothing appears during investigation as against the accused-petitioner, who is a man of clean antecedent. It is submitted that the main mobile number, which was of co-accused Sudhir Kumar (Hari Kishore Chaudhari), is 7070850880, whereas petitioner is the holder of mobile No. 7986172143 and said Sudhir Kumar has been already granted regular bail by this Court through Cr. Misc. No. 31856/2023 dated 21.06.2023. It is submitted that except suspicion nothing surfaced during course of investigation.

5. Learned A.P.P. for the State while opposing the prayer of anticipatory bail of the petitioner, submitted that petitioner through his mobile No. 7986172143 was in regular touch since 25th December, 2022, just before the occurrence of kidnapping as on several occasions he called the victim Naushad and co-accused Sudhir Kumar. It is submitted that the case of co-accused Sudhir Kumar cannot be equated with the petitioner as he was enlarged on regular bail.

6. Considering the aforesaid factual aspects of the



matter, as the petitioner found involved in calling the victim on several occasions just before the occurrence, the prayer of anticipatory bail of the petitioner is rejected.

7. This application stands dismissed.

(Chandra Shekhar Jha, J.)

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