

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3195 of 2024

Arising Out of PS. Case No.-678 Year-2019 Thana- ARARIA District- Araria

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BELAL S/O NIZAM @ NEZAM VILLAGE- BUDHESARI RAMPUR
MOHANPUR, WARD NO. 11, PS. ARARIA (BAIGACHHI), DIST.
ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and the State

2. The petitioner is apprehending arrest in connection with Araria (Bairgachhi) P.S. Case No. 678 of 2019 instituted under Section 366 of the Indian Penal Code lodged on 18.8.2019 by the informant, Hamida.

3. As per the prosecution story, the informant alleged that her daughter was married to Md. Anis and when she was pregnant, one Saiful and Siddique had stabbed her in stomach causing death of the child in the womb itself. This had followed a case against other accused persons.

4. The further allegation is that on the fateful day, she was returning from Araria Court, this petitioner alongwith Tarej kidnapped her as also grand-daughter. A Panchayati took place



in which both Belal and Tanrej assured that the lady alongwith her daughter will be handed over but as they failed to leave up to the promise, the FIR.

5. A coordinate bench had called for the case diary and learned APP Mr. Jitendra Kumar Singh has taken this Court to paras 66 to 68 to show that independent witnesses have endorsed the allegation that in a Panchayati, this petitioner and Tabrej had assured that the lady and her daughter will be returned in couple of days.

6. Considering the aforesaid facts when the investigation has also pointed finger towards this petitioner, the independent witnesses have supported the FIR and have stated that this petitioner was actively involved in the kidnapping of the lady and her daughter, no case for anticipatory bail is made out. Accordingly, the same is rejected.

(Rajiv Roy, J)

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