

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.80598 of 2023

Arising Out of PS. Case No.-951 Year-2022 Thana- FORBESGANJ District- Araria

MD. TABREZ ANSARI SON OF MD. IDRISH ANSARI RESIDENT OF
VILLAGE - MATIYARI, TOLA BHAJANPUR, WARD NO.05, P.S. -
FORBESGANJ, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 18-01-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Forbesganj Police Station Case No. 951 of 2022, dated 08.09.2022, disclosing offences punishable under Sections 365/302/201/120-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that in the morning of 04.09.2022, the son of the informant (now deceased) went to meet the petitioner and two other named accused persons, as informed by the deceased, but after three days, when the informant's son did not return, the informant went to the house of the



petitioner to find out the whereabouts of his son, but he did not get any satisfactory reply. The mobile phone of the son of the informant was also switched off. On 08.09.2022, the informant received information from the police that a dead body has been found in the canal, which was identified by the informant as the dead body of his son. The informant has alleged that on account of some altercation, which took place between the deceased and the accused persons, they killed his son and threw his dead body in the canal.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of suspicion only. The son of the informant had left his house on 04.09.2022 and when he did not return for nearly three days, no complaint was made by the informant regarding disappearance of his son. After recovery of the dead body, the present First Information Report has been lodged against the petitioner and others on the basis of suspicion only. He next submits that similarly situated co-accused person, namely, Firoz Ansari, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated



26.07.2023, passed in Criminal Misc. No. 30359 of 2023.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact similarly situated co-accused has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj Police Station Case No. 951 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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