

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21311 of 2025

Arising Out of PS. Case No.-49 Year-2024 Thana- HUSSAINGANJ District- Siwan

Abdul Majid, (Male), aged about 60 years, Son of Late Gul Mohahmmad,
Resident of Village - Bindwal, P.S. - Hussainganj, District - Siwan, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Prashant Kumar, Advocate
For the Informant	:	Mr. Alok Ranjan, Advocate
For the State	:	Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 13-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Hussainganj P.S. Case No. 49 of 2024 dated 23.02.2024 registered for the offences punishable under Section 363 read with Section 34 of the I.P.C. Later on, Sections 201, 302 and 120B of the I.P.C. were also added.

3. As per the prosecution case, on 22.02.2024 at about 7.30 P.M., the co-accused Bullet Ansari @ Ahsanul Haque called on the informant's son's phone and asked him to come to his house. Thereafter, the informant's son went to his house. At 8.00 P.M., when the informant's son did not return then the informant called on his son's mobile then his son informed that



he was at the house of the co-accused Bullet Ansari @ Ahsanul Haque and the co-accused Saiyad Ansari was also present there. At 2.00 A.M., the informant again called on his son's phone but it was found switched-off then the informant went to the house of the co-accused Bullet Ansari but did not find the co-accused persons. It is further alleged that the informant believed that the co-accused Saiyad Ansari and Bullet Ansari @ Ahsanul Haque had kidnapped his son. The reason behind the occurrence is that three days before this incident the co-accused Saiyad Ansari had threatened to kill the informant's son. It is further alleged that when the wife of the informant went for call of nature in the night she saw in the torch light that her son was going with the co-accused Saiyad Ansari and Bullet Ansari @ Ahsanul Haque towards the eastern direction.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the alleged offence and he has falsely been implicated in the present case due to dirty village politics. The petitioner is not named in the F.I.R. and his name has come in the present case during the course of investigation on the basis of false and concocted information given by the informant to the



Superintendent of Police, Siwan. The petitioner is the co-villager of the informant and since last 15 years, the petitioner is an elected Ward Councilor of the Area and has been roped in the present case only with malafide intention to defame him in the locality. It is further submitted that the dead body of the deceased was recovered behind the house of the co-accused Bullet Ansari and Saiyad Ansari. However, there is no material available on the record to suggest the implication of the petitioner in the present case. It is further submitted that from perusal of the F.I.R., it is evident that as per last telephonic conversation with the victim and the informant, the victim disclosed the name of only two persons who has been mentioned in the F.I.R. and he has not named the petitioner. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 24.01.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that one witness has been examined in the present case.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Siwan in connection with Hussainganj P.S. Case No. 49 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

