

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25351 of 2025

Arising Out of PS. Case No.-276 Year-2022 Thana- AMDABAD District- Katihar

1. Abdul Jalal Son of Late Arshad Ali Resident of Village- Basantpur, Kala Diyara, P.S.- Amdabad, District- Katihar
2. Md. Nasim Son of Late Khalil Rahman Resident of Village- Basantpur, Kala Diyara, P.S.- Amdabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 02-09-2025 Heard Mr. Ajit Kumar Singh, learned counsel for the
petitioners and the State.

2. The petitioners are apprehending arrest in connection with Amdabad P.S. Case No. 276 of 2022 instituted under Section 364 of the Indian Penal Code lodged on by the informant,

3. As per the prosecution story, the lady, wife of the person who has disappeared namely Naimul Haque alleged that he was taken for employment by the petitioners and she was in contact with him for two months but later the phone went off. Despite regular request, no reasonable explanation was being given and when the complainant's brother-in-law, Mahboor Alam went to New Delhi, the petitioners became scared but informed that he has returned to Katihar. However, his bag and shoes were present in the room. Upon query, the information was given that he went without taking bag/shoes. The complaint turned into FIR in the year 2022 whereafter, the present anticipatory bail application.



4. Learned counsel for the petitioners submit that though he went alongwith them, subsequently, he returned and they had no knowledge about his whereabouts.

5. The lady has been compensated pursuant to the Panchayat and in that background, they deserve relief.

6. Learned APP, Mr. Jitendra Kumar Singh on the other hand has taken this Court to paragraph 112 of the case diary to show that in the year 2024 itself (25.12.2024), processes have been issued against them and posters pasted. This anticipatory bail has been filed four months after the said processes took place.

7. It is important to note that the whereabouts of the husband of the complainant/informant is still not known.

8. In that background, it would be appropriate that the petitioners seek bail.

9. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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