

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56336 of 2025

Arising Out of PS. Case No.-14 Year-2024 Thana- ALINAGAR District- Darbhanga

Md. Tanweer @Md. Tanweer Alam S/o Abdul Baki Resident of village-
Hariyath, P.S.- Ali Nagar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Subhash Kumar Jha
For the Opposite Party/s :	Mr. Anuj Kumar Shrivastava- A.P.P.
	Mr. Arbind Kumar Singh
	Ms. Prativa Kumari
	Mr. Bipin Kumar
	Mr. Md. Shahnawaz Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 307-11-2025
1. Heard learned counsel for the petitioner, learned APP for the State, the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner, at the outset, submits that the order impugned inadvertently records that petitioner has antecedent of eight cases. It is asserted and submitted that petitioner has antecedent of two cases as pleaded at Para-3 of the anticipatory bail application. It is also submitted that in one case the petitioner was not sent up after investigation



by the police. It is next submitted that informant alleges that his sister was kidnapped by Asfaque, Tanweer, Hasimuddin Ansari on 29.02.2024, when she had gone to attend the call of nature.

4. The learned counsel for the petitioner submits that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus, submitted final form exonerating the petitioner of the allegation as would manifest from Final Form No.401 dated 05.01.2025. It is next submitted that the learned Magistrate differing with the police report took cognizance. It is further submitted that once an investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent whether it would prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the



petitioner that after investigation submitted final form exonerating the petitioner of the allegation..

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Benipur, Darbhanga in connection with Alinagar P. S. Case No.14 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

