

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76870 of 2025

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

=====

Saiyad Ansari S/O Late Hadish Miyan @ Late Hadish Ansari R/O Vill.-
Vindwal, P.S- Hussainganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-12-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 420 of 2024 arising out of Hussainganj P.S. Case No. 49 of 2024 dated 23.02.2024 registered for the offences punishable under Sections 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 the house of



the co-accused, Bullet Ansari @ Ahsanul Haque. At 8.00 P.M., the informant called on his son's mobile then he informed that he is at the house of the co-accused, Bullet Ansari @ Ahsanul Haque and the petitioner also present there. At 2.00 A.M., the informant again called on his son's phone but it was coming switch-off. It is further alleged that the informant believed that the petitioner and the co-accused person had kidnapped his son. The reason behind the occurrence is that three days before the petitioner had threatened the informant's son to kill him. 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 petitioner and the co-accused person towards the east direction.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. It is submitted that there is no motive assigned in the F.I.R. for the alleged occurrence. It is further submitted that during the course of investigation and on the information of spy, the dead body of the victim was recovered on 06.03.2024 but the postmortem has been done on



07.03.2024 after twelve hours. The charge-sheet has been submitted against the petitioner. Learned counsel has further submitted that only one witness has been examined on behalf of the prosecution side at present and the trial would not be completed in the near future. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the regular bail application of the petitioner was earlier rejected by this court vide order dated 24.03.2025 passed in Cr. Misc. No. 52759/2024.

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 Court concerned, Siwan in connection with S.Tr. No. 420 of 2024 arising out of Hussainganj P.S. Case No. 49 of 2024 with the 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 bond of



the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

