

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12947 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- CHAKIA District- East Champaran

=====

Ismail Haque @ Ismail Ansari @ Md Ismail Ansari @ Ismail Miyan Son of
Hanif Haque @ Late Hanif Ansari Resident of Village-Puran Chhapra, P.S-
Chakia, District-East Chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
for the offence under Sections 302, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that after partition
of the land between husband of informant and her Bhaisur
Nejam Ansari, the husband of informant constructed the house
on the share of his own land. On 30.04.2024 at about 6:00 AM,
Nejam Ansari came at the door of informant and started burying
bamboo and on objection by informant and her family members,
Nejam Ansari assaulted mother-in-law of informant and on
hulla, the accused persons, named in the FIR, came and caught
hand of informant's mother-in-law and Sajda Khatoon assaulted



on her chest with brick, due to which, she fell down on the ground and died during course of treatment.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. FIR has been lodged after delay of 8 days and there is no plausible explanation for the same. After investigation, police submitted chargesheet under Section 304/34 of the Indian Penal Code, vide Chargesheet No. 160/2024 dated 03.11.2024. In the post-mortem report, doctor has not found any external injury on the person of deceased and has opined that death is caused due to disease of liver, lungs, kidney and heart, which itself falsifies entire prosecution case. Petitioners claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Chakia P.S. Case No. 133 of 2024, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Prakash/-

U			
---	--	--	--

