

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21937 of 2025

Arising Out of PS. Case No.-401 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Md. Basheer Ansari S/O Md. Rahman Ansari R/O Village- Ginjas Khas, P.S-
Saraiya (Jaitpur), Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Town P.S. Case No. 401 of 2023 registered for the offences under Sections 147, 148, 149, 341, 323, 324, 302 and 504 of the Indian Penal Code.

3. As per prosecution case, petitioner and other co-accused persons, in the background of land dispute, assaulted the husband of the informant resulting in his death.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. There is allegation of assault against altogether 16 persons including this petitioner but only 4 injuries have



been found on the body of the deceased and one injury is over back of the head and second injury on the forehead. Two other injuries are on left palm and right leg. If 16 persons assaulted the husband of the informant, it is not possible that he received only 4 injuries. There is general and omnibus allegation against all accused persons including this petitioner. Learned counsel further submits that some of the co-accused persons used to live 30 KM away from the place of occurrence and it was not possible for them to cover such long distance only to participate in the present crime. Learned counsel further submits that in the premises of SDO, East Muzaffarpur, there are CCTV cameras and security guard and it was impossible to commit any act as alleged against the deceased. Petitioner is in custody since 04.12.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the omnibus nature of allegation and further considering the clean antecedent of the petitioner, his period of custody and submission of charge-sheet, the petitioner above named is



directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur/concerned court in connection with Town P.S. Case No. 401 of 2023, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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