

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23123 of 2025**

Arising Out of PS. Case No.-86 Year-2012 Thana- BANKA District- Banka

Bhola Ansari @ Nazir Ansari S/O Jallu Ansari R/O Vill.- Dharniya Ghat, P.S.-
Banka, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Advocate

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

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

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

2. The petitioner has preferred this application for grant of regular bail in connection with Banka P.S. Case No. 86 of 2012 dated 03.04.2012 registered for the offences punishable Sections 302 read with 34 of the IPC and Section 3/4 of the Explosive Substance Act.

3. As per the prosecution case, on 03.04.2012, the informant after hearing the sound of bomb explosion in the night, went into the courtyard of her brother-in-law Mohan Rai (deceased), she found that his brother-in-law was lying dead. Thereafter, she raised suspicion against the wife of the deceased, Sumitra Devi and the other co-accused Tauhid Mian @ Tauhid Ansari who were in illicit relationship. The deceased Mohan Rai



used to protest their illicit relationship.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. His name transpired in the present case on the basis of confessional statement of co-accused Tauhid Mian @ Tauhid Ansari, in which he stated that he along with his associates namely Bhola Ansari (petitioner) and Amod Yadav committed the murder of Mohan Rai by pelting bomb. He further submits that the similarly situated co-accused Amod Yadav has already been granted bail by this Court on 30.09.2013 vide Cr.Misc.No.28248 of 2013. It has been alleged against the petitioner that he was associate of Tauhid Mian. Since Tauhid Mian has already been granted bail by this Court, there is no reason to refuse the prayer for grant bail to the petitioner.

5. 6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs.20,000/- (Rs. Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S.Case



No.86 of 2012, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Chandra Prakash Singh, J)

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