

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31632 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BANJARIA District- East Champaran

Ash Mohammad Ansari @ Asmahammad @ Asmahmad S/o Late Jangi Miya
R/o Village- Tarkulwa, P.O.- Siswa, P.S. - Banjaria, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Banjariya P.S. Case No. 125/2025 registered on 26.02.2025 for the offences punishable under Section 25(1-B) a, 26 and 35 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against two named accused persons, including the petitioner. It is alleged in the F.I.R. that the police, acting upon information provided by one Mulaisa Khatoon who is the informant in a criminal case were informed that the petitioner, along with a co-accused, was roaming with firearms in search of Mulaisa Khatoon and her son with an intention to kill them. Upon receiving such information, the police conducted a raid at the



petitioner's house. It is alleged that the petitioner, on seeing the police party, managed to flee. However, during the search of his room, one country-made pistol was recovered.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He further submits that the alleged recovery has not been made from the house or conscious possession of the petitioner, but from the premises of a co-accused. The petitioner has a separate residence where he lives with his family, and the recovery has been falsely and maliciously attributed to him. It is submitted that the petitioner has no connection with the seized articles. However, it is also submitted that the antecedents of the petitioner are not clean, as he is an accused in four other criminal cases.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner has a criminal history and is involved in multiple cases. Considering his antecedents, he is a habitual offender and does not deserve to be granted bail.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Banjariya P.S. Case No. 125/2025, pending before the learned CJM, Motihari, East



Champaran is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

Ashwini/-

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

