

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37655 of 2025**

Arising Out of PS. Case No.-5 Year-2024 Thana- MATIYARIA District- West Champaran

Shahjaha Ansari @ Shahjaha @ Damkal Ansari S/o Faruk Ansari R/o Vill-  
Lachhnauta, P.S.- Matiyaria, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Bimlesh Kumar Pandey, Adv. |
| For the Opposite Party/s | : | Mr. Prem Kumar Jha, APP        |
| For the Informant/s      | : | Mr. Rakesh Kumar, Adv.         |

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

ORAL ORDER

3      24-09-2025                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Matiyariya P.S. Case No. 05 of 2024 dated 18.01.2024 registered for the offences punishable under Sections 302, 120B read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant's husband after distributing mid-day meal returned to his house and then he went to open medical shop and to pay money to some persons through mobile. In the meantime, from village mosque, it is announced that Lalbabu Master was shot. Upon hearing the announcement, the informant and her relatives



reached there and she found that her husband was lying in unconscious condition in the shop. Thereafter, the informant brought her husband to hospital where he was declared dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is land dispute between the parties. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. The name of the petitioner was transpired in this case in the confessional statement of the co-accused, Mohammad Saif @ Arabian Ansari. There is no specific allegation against the petitioner rather the specific allegation of firing on the deceased is against the co-accused Gulfaraj Ansari and Mohammad Saif @ Arabian Ansari, mentioned in the para-106 of the case diary. The petitioner is involved in this case only as a liner. The petitioner has no concern with the alleged offence. The petitioner has five criminal antecedents in which he is on bail in all cases except one criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 25.02.2025. The co-accused person has already been granted regular bail by this Court vide order dated 19.02.2025 passed in Cr. Misc. No. 70066 of 2024.

5. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the bail petition of the petitioner.

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 J.M.-1st Class, Bettiah, West Champaran in connection with Matiyariya P.S. Case No. 05 of 2024, with a 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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