

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45376 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- Jagdishpur District- West Champaran

Firoz Ansari @ Anwarul Ansari S/o Late Taslim Mian @ Tashi Mohammad Ansari R/o Village- Asharam Patakhauri, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46339 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- Jagdishpur District- West Champaran

Saruf Ansari S/o Mannaur Ansari @ Manaur Ali @ Manaur Ansari Village- Khalwa Gahiri, Ward No. 14, PS- Jagdishpur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45376 of 2025)

For the Petitioner/s : Mrs. Khushi Awadh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

(In CRIMINAL MISCELLANEOUS No. 46339 of 2025)

For the Petitioner/s : Mrs. Khushi Awadh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 08-10-2025 Both Cr. Misc. applications have arisen out of the same occurrence and as such they have been heard together and are being disposed of by passing this common order.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for



grant of regular bail in connection with Jagdishpur P.S. Case No. 124 of 2024 registered for the offences punishable under Sections 61(2), 103(1) and 3(5) of the BNS.

4. As per the prosecution story, the informant has alleged that on 14.11.2024 at 06:30 PM, when his brother was bringing the tent material from the house of Shamim Ansari on the occasion of marriage, all the F.I.R. named accused persons unanimously surrounded him on the road and in front of Mohammad Jan's house, abusing him, and saying, "You were looking at Gulfam's obscene photos. For this reason, the accused persons started assaulting him with an iron rod. Meanwhile, Gulfam Ansari took out an iron knife and inserted it deep into the back of his neck, causing profuse bleeding which resulted in his death. In the same condition, Abdul Khaliq was taken to the hospital by his family and villagers, where the doctor declared him dead. He had died at the spot itself. The police was informed about this incident. When the police reached the spot, they took the knife used in the incident.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Though a man died but the accusation of the accused persons is totally false because the F.I.R. is much delayed and it



appears that the first statement has been withheld and it is apparent from the fact that as per the F.I.R., the police immediately arrived at the spot and recovered the knife used in the alleged crime. On 14.11.2024 at about 07:50 PM, the inquest was prepared in hospital and post-mortem was done on the same day at about 08:40 PM, meaning thereby the police has started the investigation. Learned counsel further submits that the petitioner (Firoz Ansari) happens to be the maternal uncle of accused Gulfam and resident of another village and resides in Mumbai where he earns bread by running auto-rickshaw and he has unnecessarily been dragged in the present case. No specific allegation has been attributed against the petitioners regarding assault to the deceased in any manner. Main allegation of stabbing is against co-accused Gulfam Ansari. Both the petitioners are in custody since 17.04.2025 having no criminal antecedents.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioners, above named, be released on bail **after framing of charge**, if not framed on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Bettiah, West Champaran in connection with Jagdishpur P.S. Case No. 124 of 2024 subject to the following conditions :-

(i). Petitioners will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be their family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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