

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56863 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- SIKARHATTA District- Bhojpur

1. Md. Alamgir @ Md. Alamgir Ansari S/o Late Naimuddin Ansari R/o Village - Sikarahata Kala, P.S - Sikarahata, District - Bhojpur
2. Noor Hasan @ Mannu @ Monu @ Monu Ansari S/o Md. Alamgir @ Md. Alamgir Ansari R/o Village - Sikarahata Kala, P.S - Sikarahata, District - Bhojpur
3. Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari S/o Md. Alamgir @ Md. Alamgir Ansari R/o Village - Sikarahata Kala, P.S - Sikarahata, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Giri, Senior Advocate
		Mr. Harsh Vardhan, Advocate
For the Opposite Party/s :		Mr. Akshay Lal Pandit, APP
For the Informant		Ms. Akansha Malviya, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-08-2025 Heard Mr. Raju Giri, learned Senior counsel for the petitioner and Ms. Akansha Malviya, learned counsel for the informant beside Mr. Akshay Lal Pandit, learned APP.

2. The petitioners are apprehending their arrest in connection with Sikarhatta P.S. Case No. 69 of 2025 for the offence under sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the B.N.S. lodged on 14.04.2025 by the informant, Chandra Bhushan Sharma.

3. As per the prosecution story, the informant alleged that due to land dispute and as the accused were destroying crops by riding motorcycle, on objection, they started assaulting



his brother. The allegation is that Md. Alamgir Ansari exhorted his son, Sonu Ansari and Monu Ansari whereafter petitioner no. 2, Monu Ansari with an intention to kill him, gave iron blow on his neck making him unconscious. The allegation is that Sonu Ansari also kicked him and later, Alamgir Ansari came with a sword. The injured was rushed to the Sadar Hospital, Ara and later, to Indira Gandhi Institute of Medical Science, Patna where he succumbed to the injuries after around a month. This led to the FIR.

4. Learned Senior counsel for the petitioners submit that so far as the unfortunate incident is concerned, the main allegation is against petitioner no. 2, Monu Ansari that he gave iron rod blow on neck, the deceased fainted, was rushed to Sadar Hospital, Ara and then to IGIMS, Patna where he succumbed to the injuries later. Regarding others, the allegation is of order giver on the father, petitioner no. 1, Md. Alamgir and fist and slaps so far as the petitioner no. 3, Sonu Ansari is concerned and they have no criminal antecedent.

5. Ms. Malviya on the other hand representing the informant submits that a bare perusal of the FIR would show that how brutally Monu Ansari assaulted the informant's brother who had injury on Brain/Cervical Spine which can be seen from



the injury report that the petitioner has attached as Annexure P/2. The allegation against other is/are also of order giver as also of assault.

6. Considering the submissions of the parties as also the materials on record, so far as the petitioner no. 2, Monu Ansari @ Monu @ Noor Hasan is concerned, he is the person whose blow led to the unfortunate death of the informant's brother namely, Shiv Sharma, he has to take recourse to bail. The anticipatory bail application of petitioner no. 2, petitioner no. 2, Monu Ansari @ Monu @ Noor Hasan stands rejected.

7. So far as petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari are concerned, though they were present at the place of occurrence, role has been given of order giver and assaulting by fists and slap respectively, have no criminal antecedent and undertaking has been given that they shall be diligently appearing in trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari be released on bail in the event of



arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM, IX, Ara/Successor Court in connection with Sikarhatta P.S. Case No. 69 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative/friends of the petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari shall appear before the concerned police station every fortnight for next six months to mark their attendance;



(iv) the petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no. 1, Md. Alamgir @ Md. Alamgir Ansari and petitioner no. 3, Noor Mohammad @ Sannu @ Sonnu @ Sonnu Ansari shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

9. This Court would like to put on record its word of appreciation for Ms. Akanksha Malviya for the assistance rendered in the matter.

(Rajiv Roy, J)

Adnan/-

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