

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64284 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- PAHARPUR District- East Champaran

Jalaluddin Ansari S/o Md. Idrish Miya R/o- Ward No. 07, Sataha Takiya,
Post- Nauwadih, P.O.- Nawadih, P.S.- Paharpur, Nauwa Dih, District- East
Champaran, Bihar- 845458

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh, Adv.
For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Paharpur P.S. Case No. 378 of 2024 registered for the
offence punishable under Sections-102, 3(5) of Bhartiya Nyaya
Sanhita and under Section-27 of the Arms Act.

3. As per allegation, the informant's brother was
coming from Narkatiya Chowk by his motorcycle, in the way,
the accused persons including the petitioner are said to have
assaulted the informant's brother. Further allegation is that on
the order of the co-accused, the petitioner and the co-accused
Habib Mian shot him, as a result of which, the informant's
brother sustained fire-arm injury and he was taken to hospital



for treatment where the doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. It has further been submitted that the petitioner Jallaluddin Ansari, S/o Md. Idrish is completely different person whereas the other person i.e. Jalaluddin Ansari, S/o Muslim Miya is said to have fired upon the deceased (brother of the informant). It has also been submitted that there was land dispute between the parties. There is no eye witness to the alleged occurrence. It has also been submitted that the petitioner himself informed the informant about the occurrence. It has lastly been submitted that no incriminating article has been recovered from possession of the petitioner.

5. Learned APP has opposed the prayer for bail.

6. From perusal of the F.I.R. and case diary, it transpires that the petitioner and other co-accused are named in the FIR with allegation that he along with other named co-accused persons surrounded and assaulted the brother of the informant and at the instance of the co-accused Manoj Yadav, the petitioner and one Habib Mian are said to have shot fire the informant's brother as a result of which, he sustained fire-arm injury and in course of treatment, the informant's brother



succumbed to the injury.

7. Considering the aforesaid facts and circumstances, presently I am not inclined to grant anticipatory bail to the petitioner and accordingly, the same is *rejected*.

(Nawneet Kumar Pandey, J)

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