

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62345 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- MADHUBAN District- East Champaran

1. Md. Yunus @ Yunus Ansari @ Inus Ansari @ Laddu S/O Late Mokhtar Ansari Residents of village - Madhuban (Uttar), Police Station-Madhuban, District- East Champaran at Motihari
2. Jalil Ansari @ Jalim Ansari S/O Late Mokhtar Ansari Residents of village - Madhuban (Uttar), Police Station-Madhuban, District- East Champaran at Motihari
3. Sahbaj Ansari S/O Ahmad Ansari Residents of village - Madhuban (Uttar), Police Station-Madhuban, District- East Champaran at Motihari

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s	:	Mr. Shashank Shekhar, Adv. Ms. Usha Kumari, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Ms. Shabina Talhat, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-11-2025 Heard Ms. Usha Kumari, learned counsel for the petitioner and Ms. Shabina Talhat representing the informant besides learned APP, Mr. Jitendra Kumar Singh.

2. The petitioners are in custody in connection with Madhuban P.S. Case No. 205 of 2025 for the offence punishable under sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109, 76, 303(2), 352, 351(2), 351(3) of the BNS, 2023.

3. As per the prosecution story, the lady-informant alleged that the accused persons armed variously came and co-accused, Ahmad Ansari not only gave order, also gave sword blow



to the husband causing injuries, petitioner no. 2, Jalil Ansari outraged her modesty and also assaulted her. When the son came to rescue, allegation is that they were assaulted by Sahmad Ansari causing fracture in his hand and against Rojida Khatoon, allegation is of removing gold ornament. This led to the FIR.

4. Learned counsel for the petitioners submit that a perusal of the FIR would show that the same is exaggerated and the intention is to implicate all of them. Main role is against Ahmad and Sahmad and only allegation against petitioner no. 2 is that he assaulted the lady and tried to outrage her modesty. Omnibus allegation is against petitioner nos. 1 and 3. There is a counter case also vide Madhuban P.S. Case No. 204 of 2025 against the informant side.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioners on their own would like to contribute towards the medical assistance of Rs. 5,000/- each (totaling Rs. 15,000/-) through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned counsel for the informant opposes the prayer



for bail submitting that though main role is assigned to Ahmad and Sahmad, the role of these petitioners cannot be ignored and though omnibus allegation of assault is against there, Jalil Ansari assaulted the lady.

6. Considering the submissions of the parties as also the fact that there is case and counter case, the petitioners do not have criminal antecedent, are in custody since 23.06.2025 (petitioner no. 1) and 28.06.2025 (petitioner nos. 2 and 3), some of the similar placed co-accused have been granted bail in Cr. Misc. No. 71161 of 2025 (Sahmad Ansari & Ors. Vs. State of Bihar) by a Co-ordinate Bench on 14.10.2025, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 5,000/- each (totaling Rs. 15,000/-) to the informant as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Madhuban P.S. Case No. 205 of 2025 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioners 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 petitioners 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.

(Rajiv Roy, J)

Vijay Singh/-

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