

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62566 of 2025**

Arising Out of PS. Case No.-163 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Istiak Ansari S/O Abdulhai Ansari @ Abdul Ansari R/O Village- Matiyari, P.S- Ramgarh, Dist.- Kaimur.
2. Fayaz Ansari S/O Abdulhai Ansari @ Abdul Ansari R/O Village- Matiyari, P.S- Ramgarh, Dist.- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Y.C. Verma, Senior Advocate |
|                          |   | Mr. Pawan Kumar Singh, Advocate |
| For the Opposite Party/s | : | Mr. Aditya Narayan Singh.1, APP |

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      12-12-2025                      Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners seek regular bail in connection with Ramgarh P.S. Case No. 163 of 2023, lodged on 29.05.2023 under Sections 341, 323, 337, 338, 307/34 of the Indian Penal Code. Subsequently, a charge sheet has been submitted under Sections 341, 323, 302/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the bail application of the petitioners was earlier rejected vide order dated 29.11.2023 passed in Cr. Misc. No. 74745 of 2023. However, their bail bonds were later cancelled vide order dated 24.01.2025 passed in Cr. Misc. No. 51963 of 2024. He further



submits that after cancellation of the bail bonds, the petitioners approached the Hon'ble Supreme Court of India in Special Leave to Appeal (Crl.) No. 5191 of 2025, which was dismissed vide order dated 17.04.2025 with a specific direction to surrender before the Trial Court. Thereafter, the petitioners surrendered on 19.06.2025 and since then they have been in custody. He further submits that in the FIR, there are eight named accused persons including the present petitioners. He also submits that the FIR contains general and omnibus allegations against the petitioners, and nothing specific has been attributed to them. He further submits that some of the co-accused persons have been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 30.08.2023 passed in Cr. Misc. No. 51319 of 2023 and vide order dated 28.11.2023 passed in Cr. Misc. No. 73286 of 2023. He also submits that the criminal antecedents of the petitioners are clean and they are ready to fulfil all conditions that may be imposed by this Court. It has also been submitted by the learned senior counsel that this Court has called for the progress of the trial from the concerned Court.

4. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the cancellation was



made on the ground of suppression, as despite the fact that Section 302 of the Indian Penal Code had been added later on, the same was not mentioned in the bail application. He further submits that against the cancellation order, the petitioners approached the Hon'ble Supreme Court of India, and the Hon'ble Supreme Court, vide order dated 17.04.2025, directed the petitioners to surrender immediately, but the petitioners sat over the matter for about two months and surrendered only on 19.06.2025. He further submits that those persons to whom anticipatory bail was granted had also not disclosed that Section 302 of the Indian Penal Code had been added later on. He also submits that on an earlier occasion, a report regarding the present stage of the trial was called for.

5. Learned APP for the State opposes the prayer for bail and submits that a report regarding the present stage of the trial has been called for and till date the charge has not been framed. From the said report, it transpires that the instant case has been committed to the Court of Sessions on 08.10.2025 for further proceeding.

6. After hearing the parties and going through the records, it transpires to this Court that the charge has not been framed till date in this case, but the petitioners have been in



custody since 19.06.2025. Let the petitioners above named be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of the Judicial Magistrate, 1<sup>st</sup> Class, Mohania, Kaimur, in connection with Ramgarh P.S. Case No. 163 of 2023, subject to the following conditions as laid down under Section 480(3) of the BNSS.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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