

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77685 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- BANKA District- Banka

1. Md. Sajjad @ Md. Sajjad Ansari S/o Late Habib Ansari Resident of village - Desra, P.S - Banka, District - Banka
2. Md. Sohrab Ansari S/o Md. Sajjad @ Md. Sajjad Ansari Resident of village - Desra, P.S - Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Banka P.S. Case No. 223 of 2025 instituted for the offence under Sections 191(1), 191(3), 190, 61(2) & 103(1) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on 17.05.2025, a group of named accused persons assaulted informant's brother with *lathi*, bricks and stones while fishing was underway at the village pond. It is further alleged that the attack caused his brother's death and was a pre-planned act.

4. It has been submitted on behalf of the petitioners



that the petitioners are in custody since 18.05.2025. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Learned counsel for the petitioners mainly submits that as per the FIR, total 13 persons have assaulted the brother of the deceased, but only two injuries were found on the person of the deceased, which is evident from postmortem report and the same falsifies the prosecution case. There is no specific allegation against the petitioners, rather the same is general and omnibus in nature. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 13-11-2025, passed in Cr. Misc. No. 73228 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banka P.S. Case No. 223 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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