

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79794 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- Kalibagh District- West Champaran

1. Mohammad Samir Ansari @ Samir Ansari, Son of Mobin Ansari @ Mobin Master, Resident of Village-Jamadar Tola, Ward No-1 , P.S- Kalibagh, Distt- West Champaran.
2. Rahbar Alam @ Md. Munna @ Munna, Son of Md. Achkaar Hussain, Resident of Village-Jamadar Tola, Ward No-1, P.S.-Kalibagh, Distt- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Siddharth Harsh, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Akash Raj, Advocate
		Mr. Saurav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for the informant.

2. The petitioners seek bail in connection with Kalibagh P.S. Case No.65 of 2024 registered for the offences punishable under Sections 386 and 387 read with 34 of the Indian Penal Code.

3. Both accused/petitioners are named in the FIR and are in custody since 05.07.2024 and 15.06.2024 respectively.



4. The allegation against the petitioner is to ask for ransom and also to advance threat to kill the informant along with other co-accused persons.

5. It is submitted by learned counsel appearing for the petitioners that both parties were in inimical terms and for the said reason, several criminal cases are pending between the parties. It is submitted that the basis for lodging present criminal case is land disputes for which a title suit is pending before the court of Sub Judge, Bettiah. It is pointed out that save and except the allegation of threat and demand of ransom, nothing appears incriminating from facial perusal of FIR against petitioners, where no specific demand appears to be raised through FIR. It is submitted that immediately after lodging this FIR, the informant being the influential persons of the locality, being elected ward member opened fire upon petitioners for which Bagaha P.S. Case No. 166 of 2024 was lodged, where petitioner no.1 received a firearm injury on his chest. While concluding argument, it is submitted that investigation of this case is already completed for which, charge-sheet has been submitted and, as such, there is no



chance of tampering with the evidence. It is pointed out that petitioner no.2 found involved in one more criminal case, where he is on bail, whereas petitioner no.1 though involved in 14 criminal cases but after facing trial, was acquitted in nine cases and as such, his criminal antecedent is of only five cases, where he is on bail in four cases.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer for grant of bail to the petitioners submitted that both petitioners are notorious criminals of the locality, as they involved in several cases. It is submitted that allegation of ransom demand and advancing threat to kill appears available specific against the petitioners.

7. In view of aforesaid factual submissions and by taking note of nature of accusation, where implication of petitioners *prima facie* appears due to land dispute and previous enmities, coupled with the fact that investigation of this case is already completed, accordingly, both petitioners, above-named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M., West Champaran, Bettiah
in connection with Kalibagh P.S. Case No.65 of 2024, subject
to the conditions as laid down under Section 437(3) of the
CrPC/Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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