

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82335 of 2024

Arising Out of PS. Case No.-280 Year-2024 Thana- MAHARAJGANJ District- Siwan

Arman Ansari, S/o Md. Ali @ Mohamad Ali @ Mahmad Ali, R/o Village-
Upadhya Tola, P.S.- Maharajganj, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the State : Mr. Surendra Kumar, APP
For the Informant : Mr. Nagendra Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 21-02-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Maharajganj P.S. Case No.280 of 2024 registered for
the offences punishable under Sections 302 and 120-B read
with 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. The accused/petitioner is named in the FIR and is
in custody since 27.06.2024.

4. The allegation against the petitioner is to commit
murder of the brother of the informant along with other co-
accused persons, where occurrence is alleged to be arising out



of previous enmity/occurrence, which alleged to be taken place in February, 2024 itself.

5. It is submitted by learned counsel appearing for the petitioner that merely on the basis of allegation, as petitioner along with other co-accused persons out of previous acquaintance, call the brother of the informant from his house on 24.06.2024, the petitioner was implicated with present case. It is submitted that this case is based upon circumstantial evidence, where except last seen, nothing available against the petitioner. It is pointed out that similarly situated co-accused persons, namely, Ravikant Kumar has already granted bail by this Court. It is submitted that the case of the petitioner stands on better footing to that of co-accused Ravikant Kumar, as the deceased was not found sitting on his motorcycle. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case is completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail



to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of last seen and also out of previous enmity *prima facie* nothing incriminating appears against the petitioner during the course of investigation as to connect him with the present occurrence of murder, coupled with the fact that petitioner is in custody since 27.06.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Siwan in connection with Maharajganj P.S. Case No.280 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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