

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85507 of 2024

Arising Out of PS. Case No.-413 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Moinuddeen Ansari @ Moinuddin Ansari S/O Ishlam Ansari Resident Of
Village- Sohrauna, Khairkiya, P.S- Kotwali, Padrauna, Distt.- Kushinagar
(U.P).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satish Kr. Singh
		Mrs. Moni Kumari
		Mr. Sadanand Paswan
For the Opposite Party/s	:	Mr. Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kuchai Kote P.S. Case No. 413/2024 dated 30.09.2024 registered for the offence punishable u/s 126(1), 115(2), 118(2), 109, 121(2), 132, 111, 221 read with Section 3(5) of the B.N.S. and Sections 25(1-B)a, 26, 27, 35 and 25 of the Arms Act.

3. As per the prosecution case, on information, the police personnel reached near village Mathia Hardo S.M.D. College and started checking all the vehicles coming from Uttar Pradesh. In the meantime, at 02.20 P.M., a Scorpio car came and



on seeing the police personnel, the driver started turning the vehicle, then the police surrounded them. An attempt was made to catch them, on which the miscreants sitting in the Scorpio started firing and some miscreants got down from the vehicle and tried to stop the police. In the meantime, Basant Kumar Manjhi, was shot in the right side of his waist and he got injured. The police personnel also fired back. In the meantime, three miscreants managed to escape with the Scorpio vehicle and two criminals got down from the vehicle and ran away. When the police raided the residence of Qutubuddin Ansari alias Chhotu, it was found that one miscreant was injured who could not escape. Thereafter, when the police started searching for that miscreant, he was found in an injured condition in Siswani of Mrityunjay Singh located in village Petbharia, who was holding a loaded pistol in his hand and there was blood near the ankle of his left foot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of firing is not against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Navin Akhtar. The petitioner has clean antecedent



as stated in para 3 of the bail petition. The petitioner is in custody since 01.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Kuchai Kote P.S. Case No. 413/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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