

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88073 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- CHAKIA District- East Champaran

Mustafa Ansari @ Md. Mustufa Ansari S/O Ismail Ansari R/O Vill.- Puran
Chhapra, P.S.- Chakia, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shashi Bhushan Pandey, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-02-2025 Heard Mr. Shashi Bhushan Pandey, learned counsel

appearing for the petitioner and Mr. Pramod Kumar Pandey,

learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302 and 34 of the Indian
Penal Code.

3. The prosecution case, in brief, is that after partition
of the land, husband of informant constructed his house on his
own share of land. It is alleged that on 30.04.2024 at about 6:00
AM, co-accused Nejam Ansari came at the door of informant
and started burying bamboo and on objection by informant and
her family members, all the accused persons named in the F.I.R.,
including this petitioner, came and started assaulting informant
and her family members. It is further alleged that when mother-



in-law of informant and came to save her, co-accused Sajta Khatoon assaulted on her chest with brick due to which, she fell down on the ground and later on died during course of treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case due to land dispute. Petitioner is not alleged to have assaulted the deceased. Allegation of assault is general and omnibus in nature. Doctor has found no external injury on the body of the deceased and has opined that cause of death is due to disease of liver, lungs, kidney and heart, which itself falsifies the entire prosecution case. Petitioner is in custody since 06.09.2024. Moreover, charge-sheet has already been submitted. Petitioner has got no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chakia P.S. Case No. 133 of 2024.

(Prabhat Kumar Singh, J)

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