

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2908 of 2026

Arising Out of PS. Case No.-139 Year-2023 Thana- THAWE District- Gopalganj

Belal @ Belal Ansari S/o- Sabir Hussain @ Sabir Ansari R/v- Ijmali, Lakri
Darhah Ps- Barharia Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Danish Quamar, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-04-2026 Heard Mr.Md Danish Quamar, learned counsel for
the petitioner and Mr.Jharkhandi Upadhyay, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
01.07.2025 in connection with Thawe P.S. Case No. 139 of
2023, FIR dated 15.05.2023 registered under Sections 341, 324,
326, 307, 379 and 34 of the I.P.C. and Section 27 of the Arms
Act.

3. As per the first information report on 14.05.2023 in
the night at about 08:30 P.M. while the informant was returning
back after having meal, some persons were waiting near Kaali
temple in a car and 3-4 motorcycles and no sooner than the
motorcycle of the informant arrived near the speed breaker, they
started firing. The informant has identified the named accused



persons whose name has been disclosed in the F.I.R. There was 10-12 unknown persons also. It has further been alleged that the named accused -Nezam fired upon the maternal uncle of the informant namely Jay Prakash Kumar and he sustained gun shot injury on his chest. The petitioner fired from his pistol due to which Niraj Kumar sustained gun shot injury. When the informant started fleeing away, the accused Pawan Kumar, Aftab Sheikh, Faiyaz and 3-4 unknown persons caught hold the informant and attacked upon him with knife due to which he sustained injury on his head and finger.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. As per allegation in the FIR, the petitioner has fired upon the victim (injured person). Learned counsel for the petitioner submits that although the specific allegation against the petitioner is that he has fired upon the victim but the statement of the victim which was recorded in paragraph-46 of the case diary in which he has not stated about specific allegation against the petitioner rather he has stated that all the accused persons have fired upon him which suggests that there is general and omnibus allegation against all the accused persons including the petitioner. Further submits that co-accused



person, namely, Sahil Ansari @ Md. Zubair Ansari, against whom the similar allegation, has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 08.10.2025 passed in Cr. Misc. No.69437 of 2025 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.07.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that it appears from the FIR that there is specific allegation against the petitioner, apart from the aforesaid, the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, 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, Gopalganj in connection with Thawe P.S. Case No. 139 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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