

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4717 of 2026

Arising Out of PS. Case No.-148 Year-2024 Thana- KURSAILA District- Katihar

Mumtaz Ansari @ Momtaz Ansari S/o Moin Ansari R/o vill - Dhruvganj
Kharik, Kharik Bazar, P.S.- Kharik, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman Jaipuriyar, Advocate
For the State : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard Mr. Anshuman Jaipuriyar, learned counsel for
the petitioner and Mr. Binod Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
13.11.2025, in connection with Kursela P.S. Case No. 148 of
2024, G.R. No. 400 of 2024, F.I.R. dated 17.08.2024 registered
for the offences punishable under Sections 103(1), 3(5) of the
B.N.S.

3. The prosecution case, in brief, is that the
informant's daughter, Shivani Kumari, went to a marriage event
on 04.08.2024 but did not return. On 06.08.2024 her mutilated
dead body was found behind the house of Md. Mursil.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that the informant is not an eye witness of the alleged occurrence and initially the petitioner was not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person namely Golu Ansari @ Rahul Ansari. Learned counsel for the petitioner further submits that initially the U.D. Case No. 10 of 2024 dated 10.08.2024 was registered and thereafter the dead body of the victim was recovered but the family members of the victim has not lodged any case against anyone and after the completion of more than 48 hours of recovery of dead body no F.I.R. was lodged and the present F.I.R. was instituted after thirteen days afterthough only to falsely implicate the accused persons. He further submits that co-accused persons, namely, Md. Mursil @ Md. Mansur and Golu Ansari @ Rahul Ansari have been granted bail by a Coordinate Bench of this Court vide order dated 18.07.2025 passed in Cr. Misc. No. 32494 of 2025, another co-accused person, namely, Chhagali Khatoon has been granted bail by a Coordinate Bench of this Court vide order dated 13.11.2025 passed in Cr. Misc. No. 76784 of 2025, another co-accused



person, namely, Md. Hasib Ansari @ Hasib Ansari has been granted bail by a Coordinate Bench of this Court vide order dated 12.12.2025 passed in Cr. Misc. No. 62464 of 2025, respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and initially the petitioner was not named in the F.I.R. and similarly situated co-accused persons have been granted bail by a different Coordinate Benches of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with K Ursela P.S. Case No. 148 of 2024, subject to the following conditions :-

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

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

(3) 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 antecedents, 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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