

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16909 of 2026

Arising Out of PS. Case No.-285 Year-2023 Thana- CHAKAI District- Jamui

1. Kurwan Ansari Son of Suleman Miyan Resident of Village- Patauva PS -Chakai District -Jamui
2. Halim Miyan son of Jundali Miyan Resident of Village- Patauva PS -Chakai District -Jamui
3. Samsher Ansari Son of Md. Rajjak Ansari Resident of Village- Patauva PS -Chakai District -Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code in connection with Chakai P.S.Case No. 285 of 2023.

3. The case of prosecution in short is that on 29.08.2023 informant Rubi Bibi submitted an application to the Chakai Police Station allegation there in that on 28.08.2023 at 08:30 morning she came to know that Co-Villager Latal Miyan and Jhudo Miyan plowing her agriculture field, she inform to



her father-in-law, brother-in-law and thereafter they reached at her agriculture field and objected and ask why they plowing her agriculture field upon which 17 named and along with unknown persons lashed with Lathi, Rod, Tangi attacked upon them badly assaulted and injured them. On the alarm of cry villagers gathered and save them, Chakai Police brought them to Primary Health Centre, Chakai for treatment. It, is further alleged that accused persons assaulted them on the order of Halim Miyan and Amina Bibi. Further stated that accused Kurwan Ansari assaulted to Samsher Ansari by a Tangi, accused Samsher Ansari assaulted to Uddin Miyan by means of rod on his head and accused Usman Ansari assaulted to Mustafa Ansari by rod. All accused persons assaulted to her family members some are refer to Jamui thereafter some are refer to Patna for better treatment. On the basis of aforesaid present F.I.R. has been registered against 17 named and unknown persons.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case on account of land dispute. The petitioners bear clean background.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the aforesaid facts and circumstances of the case, it transpires that Halim Miayan has been alleged to be the instigator, but there is no allegation against him of having assaulted anyone. In such view of the matter, I am inclined to grant privilege of anticipatory bail to Haliam Miyan (petitioner no.2). Accordingly, in the event of his arrest or surrender within four weeks from today, be enlarged 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 the learned Additional Chief Judicial Magistrate, Jamui in connection with Chakai P.S.Case No. 285 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioner no.2 shall co-operate in the investigation/ trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner no.2 and in case it is found that the petitioner no.2 has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner no.2. However, it is expected that the verification process would be done expeditiously without causing any delay.



7. So far as other petitioners are concerned, there is serious allegation against them of having assaulted on the vital parts of the body, which has led to grievous injuries and, therefore, I am not inclined to grant anticipatory bail to Kurwan Ansari (petitioner no.1) and Samsheer Ansari (petitioner no.3). Their prayer for bail is accordingly **rejected**.

(Alok Kumar Sinha, J)

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