

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1258 of 2026

Arising Out of PS. Case No.-3 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Mahammad Matkarim Ansari @ Matkarim Ansari @ Md. Karim Ansari @ Md. Karim S/O Late Sahabuddin Miya @ Shahabuddin Ansari R/O Village- Pahadpur, P.S- Gopalpur, District- Gopalganj, Bihar.
2. Rushtam Ansari @ Roshtam Ansari @ Rustam Ansari S/O Mahammad Matkarim Ansari @ Matkarim Ansari @ Md. Karim Ansari @ Md. Karim R/O Village- Pahadpur, P.S- Gopalpur, District- Gopalganj, Bihar.
3. Nurjaha Khatun @ Nurjahan Khatun @ Nurjaha W/O Mahammad Matkarim Ansari @ Matkarim Ansari @ Md. Karim Ansari @ Md. Karim R/O Village- Pahadpur, P.S- Gopalpur, District- Gopalganj, Bihar.

... .. Appellants

Versus

1. The State of Bihar
2. Ajay Kumar Gond S/O Rajendra Gond @ Rajindra Gond R/O Village- Panchamwa, P.S- Gopalpur, Distt.- Gopalganj, Bihar.

... .. Respondents

Appearance :

For the Appellants	:	Mr. Indrajeet Bhushan, Advocate
For the State	:	Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-07-2026 Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

2. This appeal is preferred against the order dated 12.02.2026 passed by the learned District & Additional Sessions Judge, XI -cum- Special Judge, S.C./S.T. Act, Gopalganj, in A.B.P. No.285 of 2026, in connection with Gopalpur P.S. Case No.03 of 2025, instituted for the offence under sections 103(1), 238(a), 61 and 3(5) of the B.N.S., 2023, whereby the prayer of the appellants for grant of anticipatory



bail has been rejected.

3. As per the prosecution case, the appellants are suspected to have killed the brother of the informant.

4. Learned counsel for the appellants submits that during the course of investigation, co-accused Shahana Khatoon was apprehended by the police. In her confessional statement, she disclosed that she was in a love affair with the deceased and that the deceased had been blackmailing her after allegedly recording an obscene video of her. Co-accused Shahana Khatoon accepted his involvement in the alleged crime.

5. It has been argued by learned counsel for the appellants that the police has submitted the final form exonerating the appellant but the Court below differing with the final form has taken cognizance against the accused persons including the present appellant.

6. Learned counsel for the State has opposed the prayer of the appellant.

7. Considering the submission of learned counsel for the appellants that the police after investigation has exonerated the appellants, this appeal is allowed. Accordingly, the impugned order dated 12.02.2026 is hereby set aside.



8. Let the appellants, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge, XI-cum-Special Judge, S.C./S.T. Act, Gopalganj / concerned Court below, in connection with Gopalpur P.S. Case No.03 of 2025, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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