

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22438 of 2026

Arising Out of PS. Case No.-378 Year-2024 Thana- PAHARPUR District- East Champaran

Jalaluddin Ansari @ Jalaluddin S/O Idrish Miya R/O Village- Sataha Chakia
Tola, Ward No.-7, P.S- Paharpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

For the Informant : Mr. Vijay Shankar Srivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-05-2026 Heard Mr. Abhishek Kumar, learned counsel for the petitioner, Mr. Vijay Shankar Srivastava, learned counsel for the informant and Mr. Sanjay Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 16.10.2025 in connection with Paharpur P.S. Case No. 378 of 2024, F.I.R. dated 12.08.2024 for the offences punishable under Sections 103 and 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner have assaulted the informant's brother and co-accused Habib Miya shot him resulting into his death.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the FIR that although the petitioner is named in the FIR but the specific allegation is against the co-accused persons, namely, Habib Miya and Jalauddin Ansari and the petitioner is Jalaluddin Ansari, S/o Md. Idrish is completely different person whereas the other person i.e., Jalauddin Ansari S/o Muslim Miya is said to have fired upon the deceased (brother of the informant). It has been submitted that there is land dispute between the parties and there is no eye witness of the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.10.2025.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner but fairly submits that the specific allegation is against the co-accused persons, namely, Habib Miya and Jalauddin Ansari and not against the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned ACJM-XI,



East Champaran, Motihari in connection with Paharpur P.S.
Case No. 378 of 2024, subject to 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 absence on two consecutive dates without sufficient reason, his 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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