

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25417 of 2026

Arising Out of PS. Case No.-1668 Year-2004 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Tabarak Ansari @ Md. Tabarak Ansari, aged about 46 years, Male, Son of Salim Ansari, Resident of village- Ganeshpur, P.S.- Kesariya, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Idrish Ansari Son of late Nubzan Miyan Resident of village- Ganeshpur Ps- Kesariya, Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-04-2026 Heard Mr. Priyesh Kumar, learned counsel appearing on behalf of the petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Complaint Case No. 1668 of 2004 (Tr. No. 479 of 2024) registered for the offence punishable under Section 436 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other co-accused persons, had allegedly set the house of the complainant on fire.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. The date of incidence is



15.06.2004 and the complaint was registered on 25.08.2024. The petitioner had no knowledge of the complaint case and he could only be informed on 28.11.2025 and there was no apprehension of being arrested. The petitioner, after service of non bailable warrant, had moved before the learned District Court for grant of anticipatory bail, which was rejected vide order dated 20.02.2026 on merits. Learned counsel further submitted that the complainant and petitioner are co-villager and there is no direct allegation against the petitioner that he is the one, who had set the house of the complainant on fire. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the date of incidence is 15.06.2004 and the complaint was registered on 25.08.2024. The petitioner had no knowledge of the complaint case and he could only be informed on 28.11.2025 and there was no apprehension of being arrested. The petitioner, after service of non bailable warrant, had moved before the learned District Court for grant of anticipatory bail, which was rejected vide order dated 20.02.2026 on merits. The complainant and



petitioner are co-villager and there is no direct allegation against the petitioner that he is the one, who had set the house of the complainant on fire. Considering the general and omnibus allegation, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 District Court where the case is pending, in connection with Complaint Case No. 1668 of 2004 (Tr. No. 479 of 2024), subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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