

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48351 of 2026

Arising Out of PS. Case No.-161 Year-2026 Thana- BAIRIYA District- West Champaran

1. Munna Ansari S/O Late Ishrafil Ansari R/O Village- Bairiya Tiwari Tola, P.S.- Bairiya, Distt.- West Champaran.
2. Shah Alam Ansari S/O Late Ishrafil Ansari R/O Village- Bairiya Tiwari Tola, P.S.- Bairiya, Distt.- West Champaran.
3. Sabira Khatoon @ Sabiran Khatoon W/O Wokil Ansari @ Wakil Ansari R/O Village- Bairiya Tiwari Tola, P.S.- Bairiya, Distt.- West Champaran.
4. Kamrun Nesha @ Kamrul Nesha S/O Shah Alam Ansari R/O Village- Bairiya Tiwari Tola, P.S.- Bairiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned Advocate for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bairiya P.S. Case No. 161 of 2026, registered for the offences punishable under Sections 329(3), 126(2), 115(2), 118(1), 352, 109(1), 76, 303(2) & 3(5) of the BNS.

3. Allegedly, on the given date and time of occurrence, while the father of the informant was sitting in his house, in the meanwhile, all the FIR named accused persons including the petitioners, variously armed came there and



started assaulting and abusing. It is specifically alleged that on the exhortation made by petitioner no. 01, co-accused Anish Ansari assaulted the father of the informant by means of *farsa* over his head, due to which he sustained serious injury. Other allegation has been levelled against petitioner no. 04 of causing assault to his father by *iron* rod on different parts of the body. There is allegation against the petitioner nos. 03 and 04 of snatching the valuables, besides active participation.

4.Learned Advocate for the petitioners at the outset submitted that the present case is nothing, but a counter blast to Bairiya P.S. Case No. 147 of 2026 instituted against the informant and his family members. Moreover, the alleged occurrence took place on 24.03.2026, but the present FIR came to be instituted on 01.04.2026 without there being any plausible explanation. The injuries, which are allegedly sustained to the informant, the same is found to be simple in nature, moreover, the allegation of causing assault to the informant's father at the hands of the petitioner no. 02 does not inspire confidence, as there is no injury report in this regard. The petitioner nos. 01 and 03 bears one criminal antecedent respectively, whereas petitioner nos. 02 and 04 have clean antecedent.

5. On the other hand, learned Advocate for the State



vehemently opposed the bail application and submits that the petitioners have actively participated in the crime, in which two persons have sustained serious injury.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence, besides inordinate delay in lodging of the FIR as well as simple nature of injury, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 161 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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