

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90276 of 2025

Arising Out of PS. Case No.-708 Year-2025 Thana- HARSIDHI District- East Champaran

1. Aftab Ansari @ Aftab Alam, S/o- Md. Ashik Ansari Village- Parshurampur, P.S.-Turkauliya, District- East Champaran Bihar
2. Shamshad Ansari @ Shamshad Alam @ Aman, S/o- Md. Ashik Ansari Village- Parshurampur, P.S.-Turkauliya, District- East Champaran Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate

Mr. Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

3 11-02-2026 Heard Mr. Y.V. Giri, learned Senior counsel assisted by Mr. Pranav Kumar, learned counsel, for the petitioners and learned A.P.P. for the State.

2. Petitioners, who are in custody, seek bail in connection with Harsidhi P.S. Case No. 708 of 2025 registered for the offences punishable under Sections 103(1) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act, 1959.

3. The prosecution case is to the effect that the informant's husband was returning from a party. It is alleged that



all the FIR named accused persons intercepted him on his way and committed his murder by a firearm. It has been alleged that one Farzan Ansari was the conspirator who got her husband killed and it has been specifically alleged that it was the co-accused Katil Akhtar @ Sipahi, who had fired upon the husband of the informant.

4. Learned Senior counsel for the petitioners submits that the petitioners were not named in the FIR and their name had surfaced on the confessional statement of one Abhinandan Kumar, whose statement was recorded after seven days of the occurrence. It has further been submitted that the said person has only stated that the petitioners were the conspirators of such crime. Learned Senior counsel has submitted that nothing has been recovered from the conscious possession of the petitioners and their name has been inserted as an afterthought and till date no incriminating articles have been recovered from their conscious possession. It has lastly been submitted that the petitioners carry clean antecedents and they are in custody since 25.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the husband of the informant was killed in a conspiracy by the petitioners along



with others.

6. Considering the aforesaid submissions made by the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Harsidhi P.S. Case No. 708 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative and the other shall be local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.



7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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