
In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

Abhishek Kumar Das
Sessions Judge,
East Champaran at Motihari

Anticipatory Bail Petition No. 512 of 2026

- 1. Katil Akhtar @ Sipahi Mian, aged about 35 years, S/o- Jamil Akhtar.**
R/o village- Parshurampur Chowk, Murarpur, P.S. Harsidhi, District- East Champaran.
- 2. Maujam Arif, aged about 36 years, S/o- Alauddin Mian.**
R/o village- Sariswa, P.S. Harsidhi, District- East Champaran.

-----Petitioners.

Versus

The State of Bihar

-----Opposite party.

Counsel for the Petitioners :- Sri Prem Ranjan Pandey, Advocate.
Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

10.03.2026

This is an anticipatory bail petition filed on behalf of the petitioners, namely, (1) Katil Akhtar @ Sipahi Mian and (2) Maujam Arif, who are apprehending their arrest in connection with Harsidhi P.S. Case No. 708 of 2025 for the offence u/ss 103(1), 61(2) of Bharatiya Nyaya Sanhita, 2023 and 27 of Arms Act.

In para-2 of the anticipatory bail petition, it is mentioned that no other regular or anticipatory bail petition has been filed on behalf of the petitioners either in this Court or before the Hon'ble Patna High Court. As per para para-3 of the anticipatory bail petition the petitioners have one criminal antecedent vide Turkauliya P.S. Case No. 416/2025.

The prosecution case, in brief, as per written application of the informant Shamima Khatoon, is that on 16.10.2025 at around 10:40 PM while the informant's husband Mansaf Ali was returning from a party alongwith his nephew Mamnun Alam, six persons, namely, Muajam Arif (petitioner), Rahmat Miyan, Katil Akhtar @ Sipahi (petitioner), Ijhar Alam, Kaiser Khalid and Md. Kalam riding on two motorcycles chased them and Katil Akhtar (petitioner) shoot Mansaf Ali. The informant, her son and daughter have witnessed the occurrence. The informant's husband was taken to Rahmaniya Hospital, Motihari where he was declared dead. The further case is that in a Panchyat By Election, Kamruddin Ansari's wife Farjana Ansari was a contestant and husband of informant was supporting the opposite party, which caused annoyance to Kamruddin Ansari and due to that reason, the persons named in the F.I.R. including the petitioners have committed this occurrence.

The learned counsel for the petitioners has submitted that the petitioners are quite innocent and they have committed no offence. The petitioners have nothing to

do with the alleged occurrence nor they were contesting candidates in by-election. The informant's husband has not a man of good character and he had earned many enemies and some of his enemies will have commit the incident. On these basis, it is prayed to allow the anticipatory bail petition.

The learned Public Prosecutor appearing on behalf of State opposed the prayer for anticipatory bail on the basis of materials available in the case diary.

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioners are named in the F.I.R. with the allegation they alongwith other co-accused persons riding on two motorcycles chased the informant's husband Mansaf Ali, when he was returning to his house, and petitioner Katil Akhtar @ Sipahi Mian shoot him dead. As per para-44 of the case diary, the co-accused Abhinandan Kumar has confessed his own involvement and has stated about the involvement of the petitioners in committing murder of informant's husband and at his instance, police recovered the used weapon i.e. a country made pistol alongwith three live cartridges from his house. As per para-2 of the case diary, containing inquest report, cause of death appears to have been caused by gunshot injury. As per para-95 of the case diary, containing postmortem report, doctor has found following injuries i.e. (1) Bleeding from nose and right ear, (2) Bruise on right shoulder of size 3" x 1", (3) one lacerated wound present on the right parietal area of skull of size ½" x ½" x cavity deep with inverted margin (entry wound) and (4) Swelling on left parietal area of skull and cause of death is haemorrhage and shock due to above injuries, caused by firearm. As per para-3 of anticipatory bail petition, the petitioners have one criminal antecedent. Nothing regarding the criminal antecedent of the petitioners has been mentioned in the case diary. The investigation against the petitioners is under progress.

In the facts of the case as discussed above and keeping in view the nature of allegation, gravity of offence and materials available in the case diary as well as one criminal antecedent of the petitioner, I am not inclined to give privilege of pre-arrest bail to the petitioners. Accordingly, the prayer for anticipatory bail of petitioners, namely, **(1) Katil Akhtar @ Sipahi Mian** and **(2) Maujam Arif** stands **rejected**.

Let a copy of this order be communicated to the Superintendent of Police, East Champaran to take necessary action against the erring I.O. for non-submission about the criminal antecedent of the petitioners in the case diary.

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
10.03.2026