

In the Court of Sri Sandip Singh, Principal District & Sessions Judge, Jamui,

B.A.No.214/2026

(Arising out of Jhajha P.S.Case No.435/2025)

1.Md. Moinuddin Ansari @ Hafizi S/o Late Majloom Ansari aged about 56 years resident of village Dhorikwa, P.S. Jhajha, District Jamui.

.....**Petitioner**

Vrs.

The State of Bihar.....O.P.

09.4.2026

1. This is a regular bail petition filed on behalf of above named petitioner who is in judicial custody since 2.12.2025 in connection with Jhajha P.S.Case No.435/2025 registered for the offence U/s.25(1-A),25(1-AA), 25(1-B) (c),25(1-B) (a), 26(1), 26(2) and 35 of the Arms Act pending in the court of the C.J.M.,Jamui.

2. Heard Sri Rajesh Kumar Singh, the learned counsel for the petitioner and the learned P.P.for the State.

3. The prosecution case, in short, is that the instant case has been registered on the basis of self statement of Sri Arvind Kumar who happens to be Additional SHO of Jhajha Police Station alleging therein that he got a secret information that the petitioner and co-accused persons were indulged in making and selling of country made pistol for disrupting the Assembly Election. Further on the basis of this information, a police team was constituted and co-accused Md.Shahid Alam was apprehended from his house who told to the police that the country made pistols are prepared in mini gun factory which is situated in the house of the petitioner Md. Moinuddin Ansari @ Hafiji who happens to be the maternal uncle of Md. Izrail Haque @ Chhotu Ansari. Accordingly, raid was conducted in the house of the petitioner Md. Moinuddin Ansari @ Hafiji and when the raiding team reached there, then two persons were seen fleeing away from there after jumping from the roof of the house. Then one person was apprehended by the police and another one, succeeded to flee away. The apprehended person disclosed his name Md. Izrail Haque @ Chhotu Ansari, and he also disclosed the name of co-

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accused as Moinuddin Ansari @ Hafiji (petitioner) who fled away after seeing the police party. The apprehended persons were taken into the police custody, and in presence of two independent witnesses, a search was made of their person, and two cartridges along with one Samsung mobile phone were recovered from the pocket of the co-accused Md. Izrail Haque @ Chhotu Ansari. It is further alleged that a search was made in the house of Moinuddin Ansari @ Hafiji (petitioner), and on search, several incriminating articles for manufacturing the illegal arms were seized which is mentioned in the seizure list attached with the F.I.R., and accordingly, F.I.R. has been registered against the petitioner and three other co-accused persons.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and falsely implicated in this case. The petitioner has clean antecedent, and earlier he has not filed any bail petition either before this court or before the Hon'ble Court. It is also submitted that the petitioner has not been arrested at the spot and the house from which the recovery was made does not belong to the petitioner, rather, it was under exclusive possession of the co-accused Md. Shahid Alam. The petitioner is a Cardiac patient. It is lastly submitted that other two co-accused persons have been granted bail by the Hon'ble Court vide an order dated 11.2.2026 passed in Cr. Misc. No.85761/2025 and the case of this petitioner stands on similar footing.

5. The learned P.P. for the State has vehemently opposed the prayer for bail and submitted that main recovery has been made from the house of the petitioner which are mentioned in the seizure list annexed with the F.I.R. and from perusal of the seizure list, it transpires that there was running mini gun factory in the house of the petitioner. Therefore, his case does not stand on similar footing with other co-accused who have been granted bail by the Hon'ble Court as stated aforesaid.

6. Considering the aforesaid facts and circumstances of the case and further considering the particular fact that the main recovery has

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been made from the house of the petitioner and nothing has been recovered from the possession of the co-accused Md. Shahid Alam, and so far as accused Md. Israil Haque is concerned, only two live cartridges were recovered, who have been granted bail by the Hon'ble Court. Therefore, the case of the petitioner is not on similar footing. Hence, in view of the serious allegation against the petitioner, this court is not inclined to grant bail to the petitioner, and accordingly, his prayer for bail is **rejected**.

(Dictated)

(Sandip Singh)
Principal District & Sessions Judge, Jamui.