

**In the Court of District & Add. Sessions Judge-II,
(Jhanjharpur) Madhubani**
Regular Bail Petition No.223/2026

1. Md. Ishrarul Haque aged about 55 years S/o Late Md. Kasim.

R/o Village- Gidarganj, PS-Andhrathari, District-Madhubani.

.....Petitioner

Versus

1. State of Bihar through Additional Public Prosecutor.

.....Opposite Party

Regular Bail Petition Under Section 483 B.N.S.S.

For the petitioner/s	:	Shri Sharat Chandra Yadav, Advocate
For the O.P. State	:	Shri Dev Shankar Jha, APP

ORDER

Dated: 24.04.2026

This regular bail petition has been filed under section 483 B.N.S.S. on behalf of the petitioner **Md. Ishrarul Haque** who has been arrested in connection with **Andhrathari PS Case No.19/2026, GR No.19/2026 under section 126(2), 115(2), 118(1), 109, 351(2), 352, 3(5) of B.N.S.**, which is pending in the court of ACJM-II, Jhanjharpur is being pressed and heard.

The case of the prosecution in nutshell is that on 02.01.26 at 5.30 P.M informant's son Md. Paigam Alam was sleeping in his house. Informant along with his family members after performing last rites of his uncle, were serving food to the guest. In between shouts came, that Md. Paigam Alam throat has been slit. Informant along with his family members rushed to his house, and saw FIR named accused persons, and other 4-5 unknown persons fleeing. He saw Md. Zabir, and Md. Nazibuddin holding knife drenched in blood. Atiqur Rehman, and Atiquel Haq, while fleeing said that whether Md. Paigam died, or not, while being cut by knife. That two days ago Atiqur Rehman along with his wife Farhat, had met his uncle ie petitioner Israrul Haq in jail, who is undergoing sentence in case u/s 302 of I.P.C, and there they had made planning to kill their son ie Paigam Alam. Informant son was taken to Andhara Thari hospital, from there he was referred to DMCH, Darbhanga. Hence, this

case.

Learned counsel for the accused petitioner submits that the accused petitioner is innocent, and has not committed any offence. He has nine criminal antecedents. That the cases against him are all of trivial nature, and outcome of his profession ie being gram sevak. The petitioner has falsely been implicated in this case due to dirty village politics. The real fact is that the informant in collusion with the enemies of the petitioner filed the instant case after thought, and taking help of legal brain. That from perusal of FIR it is quite clear that petitioner was not present at the place of occurrence. That prior to this case, petitioner was in judicial custody since 12.12.25, in another case vide Andhrathara P.S case no-76/25, and since then petitioner is in judicial custody. The petitioner has been remanded in this case from another case by the police, without any legal, and direct evidence. The petitioner has enemical terms with the prosecution party, and prior to this case, informant's son Md. Chand Babu @ Gufto filed a case vide Andhrathari PS Case No. 77/24 against the petitioner, also. The petitioner is a government servant, and is not likely to abscond. The petitioners is in judicial custody since 06.04.2026, and accordingly it has been prayed to grant bail to the accused petitioner.

The learned APP had opposed the prayer for bail.

Heard the argument, and perused the record. In fardbyan of informant, he had stated that petitioner is undergoing punishment in Jhanjharpur jail. This fact is also apparent from Hon'ble Court order dated 01/04/2026 in Cr. Misc No-20681 of 2026, where the petitioner has been granted bail in Andhra Thari P.S case no-76 of 2025. Perusal of instant case diary, and Andhra Thari P.S case no-76 of 2025 shows that at the time of occurrence, and till now, petitioner is in judicial custody. Meaning thereby that petitioner was not present at the place of occurrence on 02.01.2026. Even the victim/injured in para-20 of case diary had not uttered the name of petitioner. Petitioner has been remanded in this instant case from Andhra Thari P.S case no-76 of 2025 on 06.04.2026. Except the fardbayan of informant there is no any cogent material in whole case diary to show the involvement of petitioner in the occurrence.

Considering aforesaid facts, petitioner Md. Ishrarul Haque Bail is

allowed. He is directed to be released on furnishing bail bond of Rs.10,000/- with two sureties of like amount each to the satisfaction of Ld. Court concerned, subject to condition that:-

- a) He shall not temper with evidence of the case, and shall fully cooperate with the investigation.
- b) One of the bailor shall be blood relative of the petitioner.
- c) If the petitioner is found to be involved in another case of similar nature after this, his bail shall be canceled.

Dictated

Sd/-

**Addl. Sessions Judge-II,
Jhanjharpur**

Memo No...../2026, Dated:.....

Copy of order with forwarded to the court of ACJM-II, Jhanjharpur for information and needful.

**Addl. Sessions Judge-II,
Jhanjharpur**