

**In the Court of Sessions Judge, Supaul**  
**A.B.A.-268/2026**  
**(Arising out of Chhatapur PS Case No:-267/2025)**

	<p>1. Md. Ismail, S/o- Md. Wasim; 2. Md. Israfil, S/o- Md. Wasim, both R/o- Narhaiya, Ward No.01, PS- Chhatapur, District- Supaul;</p> <p style="text-align: right;">.....Accused/Petitioners Vs. State of Bihar. ....O.P.</p>	
<b><u>25/03/2026</u></b>	<p>Ld. Counsel for petitioners Sri. Sanjay Kumar Singh, Advocate. Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off the anticipatory bail application filed on behalf of two accused/ petitioners, namely 1. Md. Ismail and 2. Md. Israfil, who are apprehending their arrest in connection with Chhatapur PS case No.267/25, u/s- 309(4) of BNS.</p> <p>Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to dirty village politics. He further submitted that the accused/ petitioners are not involved in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR, is not applicable against the accused/ petitioners. It is also submitted that accused/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail.</p> <p>Ld. PP for the State strongly opposed the anticipatory bail application.</p> <p>In brief, the prosecution story is that on dated 30.12.2025, the informant Anil Kumar Rajjak while returning to his house from Raghapur Market at about 02:30 P.M., two accused persons namely Md. Ismail and one another unknown accused person forcibly stopped him and snatched cash of Rs.1,30,000/- from the informant. The accused persons also threatened the informant and ran away towards east direction on Apache Motorcycle.</p> <p>Argument heard from both sides and perused the record as well as case diary. On perusal of the case diary, it appears that the police has also recorded the statement of witnesses namely Dilip Kumar and Harinandan Rajak and both have duly supported the contention of the informant. During the course of investigation, the police has apprehended the accused Md. Munna @ Mustkim and recorded his confessional statement and he specifically stated to the police that he along with Md. Ismail and his brother Md. Israfil have committed this crime and snatched the cash from the informant and from the possession of the accused Md. Munna @</p>	Contd.

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Mustkim, cash of Rs.3000/- and one mobile phone was recovered. At the pointing of the accused Md. Munna @ Mustkim, the police has conducted the raid at the house of accused Md. Ismail and from his house a cash of Rs.60,000/- was also recovered and the accused was ran away from his house. On minute scrutiny of the entire case diary, it transpires that the apprehend accused namely Md. Munna @ Mustkim has specifically stated in his confessional statement that he along with these two accused/ petitioners have committed this crime and the confessional statement of accused Md. Munna @ Mustkim is duly corroborated by the recovery of Rs.60,000/- from the house of these accused/ petitioners. Both the accused/ petitioners are the real brother. The allegation against the accused/ petitioners are very serious in nature. The investigation of this is in primary stage. The custodial interrogation of accused/ petitioners is also required.

Hence, keeping in mind the seriousness of the allegation and the recovery was effected from the house of the accused/ petitioners, I find that both the accused/ petitioners are not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of both accused/ petitioners namely 1. Md. Ismail and 2. Md. Israfil, is hereby, **Rejected**.

Dictated  
-Sd-  
(Anant Singh)  
Sessions Judge, Supaul