

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8487 of 2018

Arising Out of PS.Case No. -316 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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Ehran Ehsan @ Aman Malick @ Ehran Malik, S/o Md. Ehasn Alam, R/o
Village- Khagadi, P.S.- Islampur, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-03-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 30.06.2016 in connection with Sessions Trial No.649/2017, arising out of Gandhi Maidan P.S. Case No.316 of 2017, registered for the offence under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a student of Engineering in Andhra Pradesh and just because he has purchased a mobile from Bakarganj, Patna, in which he has inserted his own SIM, the petitioner is being roped in connection with the murder of the deceased, who is totally unknown person. It is further submitted that the



petitioner has no criminal antecedents and shall also co-operate in any investigation and shall also make himself available as and when required in the course of the trial.

Diary in the present case was called for, which has since been received.

After perusing the diary, it appears that even prior to the murder, the phone in question had reached in the hands of the present petitioner and the petitioner has been found to have inserted the SIM in his mobile at 6.35 on the date of occurrence. The time of death as indicated in the F.I.R. is 10 P.M. This is also indicative of certain cloud on the prosecution story.

Having considered all facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-X, Patna, in connection with Sessions Trial No.649/2017, arising out of Gandhi Maidan P.S. Case No.316 of 2017, subject to the following conditions:

(1) One of the bailors will be father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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