

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73857 of 2018

Arising Out of PS. Case No.-62 Year-2017 Thana- KHAJANCHI HAT District- Purnia

Ekram @ Ibram @ Md. Ekram S/o- Abdul Rahman, resident of Village- Tapra Tola, P.S.- Inerwa, District- Sansari (Nepal) and presently residing at Village- Barahmpur, P.S.- Balwa, District- Supaul (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Sri Binod Kumar 2

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

Petitioner had earlier moved for bail which was rejected vide order dated 12.09.2017 passed in Cr. Misc. No. 29433 of 2017.

Petitioner is languishing in judicial custody since 12.02.2017 in connection with K.Hat (Madhubani) P.S. Case No. 62 of 2017 (corresponding to Sessions Trial No. 243 of 2017) for offences punishable under Sections 364, 379, 302, of the Indian Penal Code.

The prosecution case as lodged by the informant who is the car owner, is that he had appointed one Bablu Kumar Goswami as his driver 3-4 months back. The said Bablu Kumar



Goswami had taken the car of the informant but did not return. Later on his dead body has been recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and it is only on the basis of his confessional statement and confessional statement of other co-accused before the police that petitioner has been made accused. He also submits that trial has commenced and he undertakes to cooperate in the trial on day to day basis. It has further been submitted that one of the co-accused Ramesh Yadav has been granted the privilege of bail on similar allegations in Cr. Misc. No. 46545 of 2018 on 29.08.2018 and petitioner is languishing in judicial custody since nearly two years.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 5th Additional and Sessions Judge, at Purnia, District-Purnia in connection with K.Hat (Madhubani) P.S. Case No. 62 of 2017 (corresponding to Sessions Trial No.



243 of 2017).

(Nilu Agrawal, J)

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