

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7107 of 2024

Arising Out of PS. Case No.-236 Year-2022 Thana- SAMASTIPUR District- Samastipur

MD. EKRAMUL Son of Mohammad Abdul Barik @ Md. Barik Resident of
Village-Daulatpur, Police Station-Warisnagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Sanjay, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Samastipur P.S. Case No. 236 of 2022, lodged on 15.08.2022
under Section 394 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against unknown accused persons against whom there is an
allegation of robbery.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that name of the petitioner is not named in the FIR,
rather, his name has been figured in this case only by virtue of
confessional statement of the co-accused and subsequently, by
own statement of the petitioner taken by the police. Counsel



further submits that nothing incriminating relating to the present case has been recovered from the petitioner's possession nor he was put on TIP.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are seven criminal cases pending against him and only due to this reason, the petitioner's name has been named in the FIR. The petitioner is in custody since 19.06.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the rejection order, it becomes crystal clear that the looted material of this case as well as of other case has been recovered from the possession of the petitioner. Counsel also submits that one pistol has also been recovered from the petitioner's possession.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only three months after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Samastipur P.S. Case No. 236 of 2022, subject to the conditions as laid down U/s



437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only after on satisfaction of Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Samastipur Town P.S. Case No. 236 of 2023.

(II)- Samastipur Town P.S. Case No. 333 of 2023.

(III)- Samastipur Town P.S. Case No. 85 of 2023.

(IV)- Warisnagar P.S. Case No. 135 of 2023.

(V)- Tajpur P.S. Case No. 587 of 2022.

(VI)- Angarghat P.S. Case No. 67 of 2022.

(VII)- Khanpur P.S. Case No. 223 of 2022.

(Dr. Anshuman, J.)

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