

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27253 of 2024**

Arising Out of PS. Case No.-223 Year-2022 Thana- KHANPURA District- Samastipur

Md. Ekramul @ Md. Akaramul Son Of Mohammad Abdul Barik @ Md.  
Barik Resident Of Village - Daulatpur, P.S. - Warisnagar, District - Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

6      22-11-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Khanpur PS Case No. 223 of 2022 instituted for the offences  
punishable under Sections 307, 302/34 of the Indian Penal Code  
and Section 27 of the Arms Act.

3. As per the prosecution case, it is a case of shot fired  
upon the father-in-law of the informant, who subsequently died.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence and has  
falsely been implicated in this case merely on the basis of mere  
suspicion. There is no prima facie case is made out against the  
petitioner and no evidence either direct or indirect. Petitioner is



in custody since 20.09.2023. He next submits that similarly situated co-accused has been granted bail by this Court passed in Cr. Misc. No.5373 of 2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, postmortem report and impugned order of the learned 1<sup>st</sup> Additional District and Sessions Judge, Samastipur dated 09.02.2024, it appears that the name of the petitioner has been surfaced on the basis of confessional statement of co-accused. There is no any eye witness of the occurrence and no incriminating articles have been recovered from the possession of the petitioner, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup>, Additional Sessions Judge, Samastipur in connection with Sessions Trial No.718 of 2023 arising out of Khanpur PS Case No. 223 of 2022.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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