

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48870 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- WARISNAGAR District- Samastipur

Md. Ekramul Haque @ Md. Ekramul Son of Abdul Barik @ Md. Barik @
Abdul Barik Ansari R/o Village - Daulatpur, P.S.- Warisnagar, District -
Samastipur, Bihar - 848101.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 394, 307,
326 of the Indian Penal Code and Section 27 of Arms Act.

3. It is a case of robbery. One miscreant entered into
the shop of the informant and fired upon him due to which he
sustained injury. After that, the miscreant looted cash of Rs.
6,28,000/- and Rs. 28,000/- from two bags which were kept in
the shop of the informant and fled away by motorcycle with
another miscreant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is not named in the FIR. His name has been surfaced in this case on the basis of the confessional statement of co-accused Md. Neyaz who has already been enlarged on bail by this Court vide order dated 29.8.2023 passed in Cr. Misc. No. 46466 of 2023. Neither the petitioner has been put on TI Parade nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 27.9.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Warisnagar P.S. Case No. 83 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur with subject to following conditions:

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond



shall be cancelled by the Court below.

(ii) In case, the petitioner threatens the witnesses or hampers with the evidence, his bail bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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