

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86230 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- SAMASTIPUR District- Samastipur

Md Ekramul S/O Mohammad Abdul Barik 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 Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with Samastipur Town P.S. Case No.85 of 2023, registered for the offence punishable under Sections 399, 402 of the I.P.C and 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, allegation against the petitioner along with co-accused persons is that while they assembled and preparing for committing offence, the police party raided the place of occurrence and arrested some of them. On search, country made pistols along with huge cash was recovered from co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He was not named in the F.I.R but in the confessional statement of co-accused Md. Dulare, his name was surfaced. He has been implicated in this case due to his criminal antecedent. Similarly situated co-accused namely Md. Dulare and Md. Masoom have been granted bail by the



co-ordinate Bench of this Court vide order dated 30.08.2023 and 18.12.2023 in Cr. Misc. case nos. 54645 of 2023 and 81346 of 2023 respectively. He is in custody since 29.08.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, and period of custody let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 85 of 2023, subject to following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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(Sunil Dutta Mishra, J)

