

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24611 of 2025

Arising Out of PS. Case No.-167 Year-2024 Thana- TAJPUR District- Samastipur

Md. Ikbal Ahmad @ Ekbal Ahmad @ Iqbal Ahmad S/o Late Ahsan Ahmad @
Late Yesan Ahmad @ Late Yesan R/o village - Kasbe Ahar , Police Station -
Tajpur , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Pratap, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, APP
For the Informant	:	Mr. Piyush Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-07-2025 Heard Mr. Mahendra Pratap, learned counsel for
the petitioner, Mr. Piyush Kumar Pandey, learned counsel
appearing on behalf of the informant as well as Mr. Jai Narain
Thakur, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Tajpur P.S. Case No. 167 of 2024, F.I.R. dated
24.06.2024 for the offences punishable under Sections 341, 323,
307, 379, 427, 448 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including this petitioner armed with deadly weapon
have assaulted the informant and his family members and
vandalized his shop and also snatched Rs. 35,000/- and a mobile
phone from informant's nephew.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that although the petitioner is named in the F.I.R but there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner has participated in the present crime in question and petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in one case and rest two cases are pending for consideration.

6. Considering the aforesaid facts and circumstances that there is no specific allegation of assault or overt act attributed against the petitioner, let the petitioner, above named,



in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Additional Chief Judicial Magistrate -I, Samastipur in connection with Tajpur P.S. Case No. 167 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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