

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29045 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- SAMASTIPUR District- Samastipur

Ashif Ekwat @ Ashif Ekwat Ansari Son of Md. Amjad village- Dharampur
Ward no. 27, Ps- Town, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2025 Heard Mr. Rewti Kant Raman, learned counsel for

the petitioner and Mr. Madhura Nand Jha, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Samastipur Town P.S. Case No. 06 of 2025, F.I.R. dated 09.01.2025 for the offences punishable under Sections 132, 262 and 263 of the Bhartiya Nyaya Sanhita and Sections 25(1-b)a and 26 of the Arms Act.

3. According to prosecution case, this petitioner along with other accused persons involved in a scuffle in order to make the way for co-accused, Aarif @ Shibu to escape from the police personnel.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis that the petitioner was one of the co-accused who helped the co-accused, Aarif @ Shibu to escape and he has been made accused in the present case only on the ground that he is brother of Aarif @ Shibu. In fact, the petitioner is a government servant working as Gramin Awas Sahayak posted in Samastipur and he has no concerned at all with the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the F.I.R and he has been made accused because he is brother of the co-accused, 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 Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 06 of 2025, 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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