

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31492 of 2025

Arising Out of PS. Case No.-121 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

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Md. Ekramul @ Md. Ekramul Haq S/o- Md. Abdul Barik @ Abdul Barik @
Barik Miyan Village- Daulatpur Ps- Warisnagar, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2025 Heard the parties.

2. The petitioner is in custody in connection with N.H.
Bangra P.S. Case No. 121 of 2022 for the offence punishable
under section 392 of the Indian Penal Code lodged on
20.09.2022 by the informant, Avinash Kumar.

3. As per the prosecution story, the informant alleged
that while he was returning from the shop on his motorcycle to
Samastipur, was overtaken by the accused persons and on the
point of pistol, they ran away with his motorcycle, this led to
FIR against unknown.

4. Learned counsel for the petitioner submits that he
has already suffered by being in custody in this case since
26.04.2024 and his name has come in the confessional statement



before the Police only because he has criminal antecedent and the fact remains that till date, no T.I. parade was conducted.

5. Learned APP on the other hand opposes the prayer submitting that Sudhanshu Kumar handed over the motorcycle to this petitioner and he has criminal antecedent.

6. Though the allegation is there as also criminal antecedent, the fact remains that he has remained in custody since 26.04.2024, no T.I. parade has been conducted and the name has come in the confessional statement, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with N.H. Bangra P.S. Case No. 121 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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