

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38391 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- DARBHANGA District- Darbhanga

Md. Ekhlakur Rahman @ Babu Khan S/O Md. Idris R/O Mohalla-
Champabagh Nawagachhi, Bela, P.s.- LNMU, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Adv Mr. Ajay Kumar Thakur, Adv Mr. Ritwik Thakur, Adv
For the Opposite Party/s	:	Mr. Rajendra Singh Shastri, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Darbhanga Nagar P.S. Case No. 228/2024 dated 07.11.2024 registered for the offence punishable u/s 103 read with 3(5) of the B.N.S and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons along with unknown persons in connivance with one another are alleged to have killed the informant's brother under conspiracy.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. In paragraph 110 of the case diary the confession statement of co-accused Mohd. Arju Khan is mentioned in which it is said that in the case of murder of Hira Sahni, Abdul Rehman and Mohd. Eklakur Rehman (petitioner) alias Babu were also involved in the alleged crime. Learned counsel has submitted that the petitioner who is well acquainted to the present prosecution party has not been named up to this stage either by any witness or in the confessional statement of any of the co-accused. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Darbhanga Nagar P.S. Case No. 228/2024, with the condition :-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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