

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38555 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- BAHADURGANJ District- Kishanganj

Ekram Alam @ Md. Ekram Alam S/o Sabiruddin R/o Village- Aambari, Ward
No.2, P.S.- Bahadurganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate

For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-07-2025 Heard Mr.Radha Mohan Singh, learned counsel for
the petitioner and Ms.Renu Kumari, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bahadurganj P.S. Case No.83 of 2024, dated
24.03.2024 registered for the offences punishable under
Sections 341,323,326,307 and 34 of IPC.

3. Allegation against the petitioner is that he pressed
the mouth of the father of the informant and told to kill him.
Specific allegation against co-accused persons, namely, Sakil
Ahmed @ Shakil Ahamad and Sohrab Alam is that they have
assaulted the father of the informant with sharp edge weapon.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. He has falsely



been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence. As per allegation in the FIR, the petitioner has pressed the mouth of the father of the informant and specific allegation against co-accused persons, namely, Sakil Ahmed @ Shakil Ahamad and Sohrab Alam is that they have assaulted the father of the informant with sharp edge weapon and co-accused person, namely, Sakil Ahmed @ Shakil Ahamad and Sohrab Alam have been granted privilege of anticipatory bail by this Court vide order dated 03.10.2024 passed in Cr. Misc. No.67358 of 2024.

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

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act against the petitioner and specific allegation of assault is attributed against co-accused persons, namely, Sakil Ahmed @ Shakil Ahamad and said co-accused person, namely, Sakil Ahmed @ Shakil Ahamad and Sohrab Alam have been granted privilege of anticipatory bail by this Court, let the petitioner,



above named, in the event of his 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 learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No.83 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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