

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53483 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- Bathnaha District- Araria

Md. Ikrama @ Md. Ekram S/O Sirajuddin @ Md. Sirajuddin Resident of
Ward No. 14, Sisauna, P.S.- Kishanpur, District- Supaul

... .. 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 : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Bathnaha P.S. Case No. 130 of 2024 dated 28.11.2024 registered
for the offence punishable under Sections 316(2), 318(4), 61(2),
338, 336(3), 340(2), 352, 351(2)(3) of the BNS.

3. The prosecution story, in brief is that he is the
proprietor of his private hospital New Rays Hospital Bathnaha.
During a meeting in October 2023, it was decided that Kumar
Saheb, Mohd. Ikrama, Basant Kumar Pandey will bring



Ayushman Bharat to the hospital in Sukuch, so that poor people will get free treatment. After having good contact with them, on the way to Delhi, the informant gave all the responsibility of the hospital to the above three for running the hospital. On 23.02.2024, when the informant received Rs 63075/- in the hospital account, he asked Kumar Saheb, then he told that he has tied up the hospital with some insurance company and the informant sent this money to the accounts of Kumar Saheb and Basant Pandey in turn, a total of nine lakh rupees and also the income of the hospital from November 2023 to July 2024 is also with him. When the informant returned to settle the accounts, the three tenants had absconded. Upon investigation, the informant found out that a new account had been opened in the name of the hospital without his knowledge and a transaction of Rs. 8 lakh had been made through forgery and fraud.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that no occurrence has alleged ever, rather the informant has got lodged the present case which is out and out false, frivolous and baseless allegation falsely implicating the petitioner in the present case only with the motive to grab money. He further submits that it would be



evident from the FIR itself that for inviting the facilities of Ayushman Bharat in his Hospital the informant engaged with the petitioner and other hospitals on account of the reason that the informant had to go to Delhi and accordingly the petitioner and other co-accused persons were handed over charge of informant's hospital for its smooth function. After the informant had gone to Delhi handing over the charge of the hospital to the petitioner and others, the petitioner and other accused persons looked after the informant's hospital well and the entire function was carried out smoothly as against which there was never any complaint received. It is further submitted by the learned counsel for the petitioner that the informant got himself engaged with some insurance company in his hospital in order to get facilitated the service of Ayushman Bharat in which the petitioner had no role to play because without the consent of the owner/proprietor of the hospital there could not be any tie up with such hospital and accordingly, it is owner, informant who himself got engaged with private insurance companies and the petitioner had never any role to play in it. It is also submitted that in accordance with the necessities of the hospital the informant from time to time himself provided required amount to all the persons engaged in the hospital including the petitioner



for getting it expensed against the requirements of the hospital and taking shelter of which the informant chose to get lodged the present false case in order to extract money from the petitioner and others. Learned counsel for the petitioner further submits that the petitioner is in judicial custody since 03.04.2025 and has no criminal antecedent. He further submits that the dispute is with regard to money and it has been given the colour of a criminal case by the informant.

5. On the other hand, learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Considering the fact that the petitioner has no criminal antecedent and the investigation has already come to a close after filing of the charge sheet because the petitioner is in custody since 03.04.2025, this Court sees no reason as to why there should be prolonged custody of the petitioner. It is also taken into account that the dispute is with regard to money which prima facie appears to be have been given a colour of a criminal case. Under these circumstance and particularly taking note of the petitioner has no criminal antecedent and the investigation has already been completed, the Court is inclined to grant the privilege of bail to the petitioner.

7. The petitioner above named, is directed to be



released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bathnaha P.S. Case No. 130 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in



the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Prakash Narayan

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