

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11222 of 2026

Arising Out of PS. Case No.-135 Year-2015 Thana- UJIYARPUR District- Samastipur

Md. Eklakh @ Md. Akhlak S/o- Late Md. Mobin @ Md Mobil R/o Vill-
Bishanpur, P.S- Samastipur, Muffasil, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard Mr.Brajesh Kumar Singh, learned counsel for
the petitioner and Mr.Binod Kumar No.3, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
09.10.2025 in connection with S.Tr.No.49/2015 arising out of
Ujiarpur P.S. Case No. 135 of 2015, F.I.R. dated 08.08.2015
registered for the offence punishable under Sections
414,353,307/34 of IPC and Sections 25(1-b),26,27 and 35 of
Arms Act.

3. Allegation against the petitioner is that he
alongwith other co-accused gathered to commit murder of one
Rajiv Roy and when on the tip off police came to arrest them,
they started firing upon the police and public. One Ravi Gupta
has given contract to murder of Rajiv Roy.



4. Learned counsel appearing for the petitioner submits that the petitioner was not apprehended at the place of occurrence. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Laxman Roy and it appears from the FIR itself that the arms has been recovered from possession of co-accused person, namely, Laxman Roy and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 09.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has approached this Court for grant of anticipatory bail but the same rejected vide order dated 24.04.2017 passed in Cr. Misc. No. 9168 of 2017 with liberty to surrender before the learned court below but the petitioner has not chosen to surrender as yet, apart from that, the petitioner carries three more cases other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, 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 District and Additional



Sessions Judge, Dalsingsarai, Samastipur in connection with S.Tr.No.49/2015 arising out of Ujiarpur P.S. Case No. 135 of 2015,with the 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 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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