

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56411 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- PUNAURA District- Sitamarhi

Md. Eklakh S/O Mohammad Ashik @ Md. Ashik Resident of Village-
Kushmari, P.S.- Riga, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt on behalf of the
petitioner for grant of bail in connection with Punaura P.S.Case
No. 108 2024 registered for the offence punishable under
Section 392 of the Indian Penal Code.

3. Earlier the bail application of the petitioner has
been rejected vide order dated 28.08.2024 passed in Cr. Misc.
No.58604 of 2024 which reads as under:-

*Heard learned counsel for the
petitioner and learned APP for the State.*

*2. The petitioner seeks bail in
connection with Punaura P.S.Case No.
108 of 2024 registered for the offence
under section 392 of the Indian Penal
Code.*

3. As per the prosecution case,



unknown criminals looted one motorcycle, mobile phone and cash of Rs. 7500/- from the informant.

4. Petitioner has given a self inculpatory statement and the motorcycle has been recovered on the basis of confessional statement of the petitioner from the house of co-accused Shivam Kumar @ chhotu.

5. It has been submitted by the learned counsel for the petitioner that because of road rage, the occurrence took place and the motorcycle of the informant was taken away by the petitioner along with others so that the motorcycle of the informant gets repaired. Petitioner is in jail since 27.05.2024 and has clean antecedent as claimed by the learned counsel for the petitioner.

6. Learned APP has vehemently opposed the prayer for bail and has submitted that the looted motorcycle has been recovered from the co-accused on the statement of the petitioner.

7. Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. This application for regular bail is accordingly, rejected.

4. Learned counsel for the petitioner submits that the charge has been framed.

5. Considering the gravity of the offence and the fact that the trial has started, I am not inclined to review my earlier order.



6. Accordingly, the application stands dismissed.

7. The Superintendent of Police, Sitamarhi is directed to ensure the appearance of the witnesses in the trial so that the trial is not delayed.

8. Let a copy of this order be communicated to the Superintendent of Police, Sitamarhi forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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