

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91508 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Md. Ekhlaque S/o Late Safiur Rahman @ Shahera R/o Village - Garhara, P.S
- Amour, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazher Alam, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr.Mazher Alam, learned counsel for the

petitioner and Mr.Pramod Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
21.06.2025 in connection with S.T.No.277/2025 arising out of
Kochadhaman P.S. Case No. 12 of 2024, F.I.R. dated
02.02.2024 registered for the offence punishable under
Sections 353,307/34 of IPC, Section 27 of Arms Act and
Section 3/4 of Explosive Substance Act.

3. Prosecution case in brief is that on 02.02.2024
during night patrolling, when the police force reached at
Budhimari Karmkar Tola the unknown miscreants who were
armed with weapons, fired bullet and thrown bomb upon



them. Due to which one police personnel namely Laltu Kumar got injured. The unknown miscreants had committed dacoity in the house of Manish Karmkar.

4. Learned counsel for the petitioner submits that for the same set of occurrence, two FIRs have been instituted by the prosecution. One is Kochadhaman P.S.Case No. 11 of 2024 and another is Kochadhaman P.S.Case No.12 of 2024 and petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Sandeep Kumar Singh and till date no TIP has been conducted by the prosecution and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 21.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries eleven more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid facts, petitioner is not named in the FIR, name of the petitioner has been transpired during investigation on the basis of the confessional statement



of co-accused person, namely, Sandeep Kumar Singh and till date no TIP has been conducted by the prosecution, 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 Sessions Judge, Kishanganj in connection with S.T.No.277/2025 arising out of Kochadhaman P.S. Case No. 12 of 2024, 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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