

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.59391 of 2017**

Arising Out of PS.Case No. -289 Year- 2017 Thana -PARWATTA District- KHAGARIA

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Pankaj Kumar, Son of Rajendra Prasad Mandal, Resident of Village-  
Nayagaon Goriyasi, P.O.- Nayagaon, Police Station- Parbatta, District-  
Khagaria.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar, Advocate  
Mr. Ram Nibash Prasad, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2 13-12-2017 Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks pre-arrest bail in connection  
with Parbatta P.S. Case No. 289 of 2017 registered under  
Sections 147, 307, 342, 447, 504, 120 of the Indian Penal Code  
and Section 25(1-B)(a) and 35 of the Arms Act.

It is stated by the learned counsel for the petitioner  
that so far as the petitioner is concerned, the only allegation  
levelled against him in the FIR is that when the accused Arjun



Yadav and Sunil Yadav were apprehended by the villagers, he tried to rescue them calling them as his relatives. He submitted that on the basis of such allegation, the ingredients of the offences alleged would not be attracted against the petitioner.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the petitioner is one of the named accused in the FIR.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner 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 Additional Chief Judicial Magistrate-1<sup>st</sup>, Khagaria in connection with Parbatta P.S. Case No. 289 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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