

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8768 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- PARSA District- Saran

=====

Pankaj Singh @ Pankaj Kumar Singh S/O Anil Singh resident of Village-
Larpur, P.S. Garkha, District Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Binod Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
23.09.2018 in connection with Parsa P.S. Case No. 196 of 2018
for offences punishable under Sections 399, 402, 414 of the
Indian Penal Code and Sections 25(1-b) a, 26, 35 of the Arms
Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that 6-7 persons have
gathered to commit crime, the police conducted a raid and
apprehended two persons including the petitioner. From the
possession of the petitioner one country-made loaded pistol with
one live cartridge and one fused cartridge was recovered, and,
accordingly, a seizure-list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed by the petitioner and one of the co-accused apprehended along with the petitioner has already been granted the privilege of bail by a coordinate Bench of this court in Cr. Misc. No. 73149 of 2018 vide order dated 07.12.2018. He further submits that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and four more cases including two under the Arms Act, are pending against the petitioner.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Addl. Chief Judicial Magistrate-13, Saran at Chapra, in connection with Parsa P.S. Case No. 196 of 2018, subject to the following conditions :

1. One of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

2. Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
3. If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

