

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64261 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- BEGUSARAI TOWN
District- Begusarai

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Pankaj Kumar @ Pankaj Kumar Jha S/o Shri Ramnarayan Jha R/o-Village-
Anandpur (Panhas), P.S.-Nagar (O.P.-Lohia Naga), District-Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 05-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302 of the Indian Penal Code and Section 27 of the Arms Act and later on Section 120B of the Indian Penal Code and Section 25(1-b) a/26/35 of the Arms Act was added registered in connection with Begusarai Town P.S. Case No. 94 of 2018.

3. It is submitted that the petitioner has been falsely implicated and except suspicion there is no objective material to connect the petitioner with the alleged occurrence. The petitioner's name has transpired on the confessional statement of co-accused Avnish Kumar, one of three arrested persons, who stated that the petitioner was assisting Raju Jha at whose dictates



the confessor had acted. It is submitted that the petitioner has been made accused in the present case as well as a few other cases owing to enmity as he is a reporter for the Hindi Daily, "Sanmarg" at Begusarai, who regularly reports with respect to laxity in investigation of crime. The petitioner has been granted anticipatory bail in one such case arising out of Begusarai Muffasil P.S. Case No. 574 of 2017 in Cr. Misc. No. 62735 of 2018.

4. Learned APP has not pointed out any objective material other than the confessional statement of co-accused Avnish Kumar against the petitioner in the case diary.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Fast Track Court-I, Begusarai in connection with Begusarai Town P.S. Case No. 94 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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