

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5390 of 2020

Arising Out of PS. Case No.-614 Year-2019 Thana- KHAJANCHI HAT District- Purnia

PANKAJ YADAV @ PANKAJ KUMAR YADAV, aged about 24 years, Male,
Son of Arjun Yadav, Resident of Village Dhamdaha South Tola, Ward No. 7,
Police Station - Dhamdaha, District - Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dr. Bidhu Ranjan, Advocate.

For the Opposite Party : Mr.Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 03-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 364/34 of the I.P.C.

The prosecution story, in brief, is that on 17.08.2019
Deepak Kumar, the grand-son (*Nati*) of the informant, went to
Ashique Garage, for repairing of his *Tempo* but he did not
return. The informant, who is the grand-mother (*Nani*) of the
kidnapped person, has alleged that her grand-son always



complained about Pankaj Yadav (petitioner), co-accused Md. Mozim and Krishna Sah who always troubled him. When the grand-son of the informant went missing, she suspected the hands of the aforesaid three persons.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 27.08.2019. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is named in the F.I.R. alongwith two other co-accused merely on the basis of suspicion. After recovery of dead body of the victim in abandoned state, section 302 of the I.P.C. was also added in the present case by the prosecution. After investigation, the police submitted charge sheet for the offence under Sections 396, 201 and 412 of the I.P.C. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail vide Cr. Misc. No. 10326 of 2020 under order dated 15.06.2020.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed



to be released on bail on his personal bond to the satisfaction of the learned C.J.M. Purnia, in connection with K.Hat P.S. Case No. 614 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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