

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21292 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- EKMA District- Saran

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Pankaj Kumar Singh Son Of - Manoj Kumar Singh @ Manoj Singh At
Present Resident Of Village- Galimapur, P.S.- Ekma, District- Saran.
Permanent At Resident Of Village- Bagora, P.S.- Duraunda, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha- Advocate

For the Opposite Party/s : Mr. Chandra Mohan Prasad- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-12-2021 Heard the learned Advocate for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with Ekma P.
S. Case No.234 of 2020, instituted for the offences under
Sections 394, 302 of the Indian Penal Code read with Section 27
of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 14.08.2020 and charge-sheet has
been submitted in this case.

The learned counsel for the petitioner further submits
that from perusal of the allegation as alleged in the F.I.R., it
would manifest that the informant alleges that his son ran a
C.S.P. of State Bank of India, Daudpur. On 15.06.2020, his son



went to S.B.I. for withdrawing the amount for daily transaction of C.S.P. and withdrew Rs.6,00,000/- and while he was returning to his C.S.P., then unknown accused shot his son and looted the amount. It is further alleged that his son died while going to P.H.C. Ekma.

The learned counsel for the petitioner submits that F.I.R. was against unknown and the name of this petitioner transpired in Para-24 of the case diary wherein it is recorded that the spies of the police disclosed about this petitioner. The learned counsel further submits that in Para-86 of the case diary, confessional statement of Anubhav Kumar Singh is recorded, who has confessed about participating in the occurrence and has disclosed that this petitioner was also with him, but it was one Totia, who fired at the deceased when he protested and was not allowing the accused to take his bag containing the money.

Learned A.P.P. fairly submits that the name of this petitioner transpired in Para-24 of the case diary as well as in Para-86 of the case diary, but the petitioner was also part of the gang, who committed the occurrence.

Considering the fact that the petitioner is in custody since 14.08.2020, charge-sheet has been submitted in this case and he is not alleged to be the assailant of the deceased as



nothing has come during the course of investigation even remotely suggesting that this petitioner had fired, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Saran at Chapra in connection with Ekma P. S. Case No.234 of 2020, with a condition that the petitioner in between 20th-25th of every month commencing from January, 2022 will keep marking his attendance in the concerned police station till framing of charge, the concerned police station will report to the learned Court below on 28th of every month from January, 2022 that the petitioner is marking his attendance in the police station. In the event, it is reported that the petitioner in between the aforesaid dates in any of the month has not marked his attendance before framing of charge, the learned Court below will proceed to cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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