

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31060 of 2021**

Arising Out of PS. Case No.-224 Year-2018 Thana- PATEPUR District- Vaishali

PANKAJ RAI @ PANKAJ KUMAR SON OF MOHAN RAI RESIDENT OF
VILLAGE- ARNIA, P.S. JANDAHA, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 13-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Patepur PS case no. 224 of 2018 instituted for the offences punishable under Sections 364 and other allied sections of Indian Penal Code, 27 of Arms Act and 13, 16, 19, 20 of U.A.P. Act.

The allegation is regarding the husband of the informant having telephonically informed his wife that the co-accused persons had surrounded him and were in the process of killing him.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody



since 07.12.2020. The learned counsel for the petitioner has further submitted that the petitioner is not stated to be one of the accused person who had surrounded the husband of the informant, about which the informant was informed by her deceased husband before he was killed by the accused persons. The learned counsel for the petitioner has further submitted that similarly situated co-accused persons and even some of them who had surrounded the husband of the informant have already been granted bail by co-ordinate Benches of this Court vide order dated 16.12.2019 passed in Cr. Misc. no. 53062 of 2019 and the one dated 29.02.2020, passed in Cr. Misc. no. 13635 of 2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be



released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Chief Judicial Magistrate-X, Vaishali at Hajipur in connection with Patepur PS case no. 224 of 2018.

(Mohit Kumar Shah, J)

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