

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36716 of 2021**

Arising Out of PS. Case No.-302 Year-2019 Thana- SAMASTIPUR District- Samastipur

PANKAJ SINGH @ PANKAJ KUMAR Son of Divakant Singh Resident of
Sakin- Adarsh Nagar, Road No. -4 (D), P.S.- Muffasil, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha No. 1, APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 07-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Town P.S. Case No. 302 of 2019 registered for the offences punishable under Sections 302, 120(B)/34 of the IPC and Section 27 of the Arms Act.

Allegation against the petitioner is that he made celebratory firing in the Barat which hit on the neck of Camera man as a result of which he died.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. It is further submitted that during course of investigation, police found the case untrue under Section 302 of the IPC and police has found the case true under Sections 304, 120B of the IPC and 27 of the Arms Act. Learned counsel further submits that petitioner is a licensee holder of the gun. It is further submitted that co-accused Vishwanath Jha has been granted bail by a co-ordinate Bench of this court vide order dated 27.02.2020 passed in Cr. Misc. No. 1939 of 2020. Petitioner is in custody since 06.04.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Town P.S. Case No. 302 of 2019, G.R. No. 3099 of 2019 subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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