

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37956 of 2021**

Arising Out of PS. Case No.-45 Year-2019 Thana- MINAPUR District- Muzaffarpur

PANKAJ KUMAR Son of Sri Tuntun Rai Resident of Village - Madaripur
Karn, P.S.- Minapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 11-08-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioner seeks bail in Minapur P.S. Case No. 45
of 2019 corresponding to Sessions Trial No. 09 of 2021,
registered for the offence punishable under Sections 341, 323,
324, 326, 307/34 of the Indian Penal Code.

Earlier the bail application of petitioner was rejected
vide order dated 04.11.2020.

It is submitted on behalf of petitioner that specific
allegation of cutting the neck of deceased is against co-accused
Shyam Babu Rai @ Bhola @ Bhola Rai @ Shyambabu Ray
who has been granted bail by this Hon'ble Court vide order



dated 18.05.2021 passed in Cr. Misc. No. 2367 of 2021 vide Annexure-6. Petitioner is only alleged to have caught hold hand of the son of informant and he is in custody since 01.05.2020.

Considering the period of custody and the fact that co-accused Bhola Rai has already been granted bail by this Hon'ble Court, the petitioner above-named, is directed to be enlarged 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 Additional District & Sessions Judge XV, Muzaffarpur in connection with Minapur P.S. Case No. 45 of 2019 corresponding to Sessions Trial No. 09 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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