

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37834 of 2021**

Arising Out of PS. Case No.-310 Year-2018 Thana- JANDAHA District- Vaishali

PANKAJ KUMAR Son of Mohan Ray Resident of Village- Arnia, P.S.-
Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand

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

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

2 22-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code, u/s 27 of Arms Act, u/s 3 of Explosive Substance Act and u/s 13, 16,19 & 20 of the U.A.P. Act.

As per the prosecution case, 9-10 unknown miscreants covering their faces came to the house of the informant and committed the murder of informant's brother.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Ritu Devi, who has already been granted bail by a co-ordinate Bench of this court



vide order dated 11.09.2019 passed in Cr. Misc. No. 43046/2019. It is further submitted that similarly situated co-accused, Ruby Devi, Lal Babu Singh, Ravindra Singh, Tufani Sahni, Kavita Kumari along with Punam Devi and Munilal Ram have also been granted bail by this court vide order dated 11.09.2019 passed in Cr. Misc. No. 38347/ 2019, order dated 11.12.2019 passed in Cr. Misc. No. 60499/ 2019, order dated 04.03.2020 passed in Cr. Misc. No. 68510/2019, order dated 28.05.2020 passed in Cr. Misc. No. 5029/2020, order dated 27.09.2019 passed in Cr. Misc. No. 42736/2019 and vide order dated 14.02.2020 passed in Cr. Misc. No. 8801/2020. Although, it is stated in paragraph 3 of the petition that petitioner is accused in five other cases but he is on bail in three cases. Petitioner is in custody since 11.10.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Chief Judicial Magistrate, Vaishali at



Hajipur in connection with Jandaha PS case No. 310/2018 on 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/ her absence on two consecutive dates without sufficient reason, his/her 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.

(Prabhat Kumar Singh, J)

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