

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33211 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- ANDHRAMATH District- Madhubani

Pankaj Das @ Pankaj Kumar Das S/o Satya Naran Das @ Satya Narayan Das
Resident of Village- Matahi Ward No.13, P.S.- Andhramath, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-09-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 387, 307/34 of the Indian

Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he fired

upon the informant on the order of co-accused Sonu Kumar due

to which he fell down and sustained injury.

Learned counsel for the petitioner submits that the

petitioner has clean antecedents and he has been falsely



implicated in the present case. He further submits that as per F.I.R. the accused petitionr fired upon the informant. He further submits that it appears from the F.I.R. that the date of occurrence is on 19.09.2021 but the present F.I.R. was instituted on 26.09.2021 after a delay of seven days without explaining the delay. He further submits that the injury report of the informant suggests that the injury suffered by the informant is simple in nature (Annexure-2) and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.10.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Andhramath P.S. Case No. 113 of 2021, with 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 witness, 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 antecedents, 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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