

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35750 of 2022

Arising Out of PS. Case No.-417 Year-2021 Thana- GARDANIBAG District- Patna

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PANKAJ KUMAR SON OF KRISHNAKANT @ KRISHNAKANT
KUMAR RESIDENT OF MOHALLA- AMBEDKAR CHOWK, P.S.-
GARDANIBAGH, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in a case registered for
the offence under Sections 307/34 of the Indian Penal Code
and Section 27 of the Arms Act.

The informant alleges that while he along with his
child was going on the instruction of one co-accused, Nikesh
Kumar, petitioner has fired upon him with intention to kill
him due to which he received firearm injury on upper
portion of left knee.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He



further submits that as per allegation in the F.I.R., the petitioner has fired upon the informant which hit above his left knee but the doctor, who has examined the informant, has not disclosed any opinion regarding the nature of injury. He further submits that the injury sustained by the informant is not at the vital part of the body. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 16.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Gardanibagh P.S. Case No. 417 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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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