

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51155 of 2021

Arising Out of PS. Case No.-86 Year-2019 Thana- MANPUR District- Nalanda

PANKAJ KUMAR @ PANKAJ KUMAR LAL @ FUCHCHU Son of Late
Surendra Lal Resident of Village- Hargama, P.S.- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-03-2022 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 302,504,506,34 of the Indian Penal Code.

Earlier the prayer for bail to the petitioner was rejected vide order dated 04.02.2020 in Cr. Misc. No.67585 of 2019 and vide order dated 05.01.2021 in Cr.Misc. No. 32210 of 2020.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that there was altercation between the parties due to which the present occurrence took place on the spur of moment.

Vide order dated 03.01.2022 a report was called for with regard to the stage of trial. Report reveals that out of out of eight chargesheet witnesses, three witnesses have been examined and there are five witnesses including the informant and official witnesses are yet to be examined.

Learned counsel for the petitioner submits that the petitioner is in custody since 29.05.2019 and report reveals that there is no chance of early conclusion of the trial in near future.

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

Considering the aforesaid facts and period of custody, 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 learned Court below where the case is pending in connection with Manpur Police Station Case No.86 of 2019, S.Tr.No.460 of 2019 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 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.

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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