

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56213 of 2021

Arising Out of PS. Case No.-116 Year-2020 Thana- KATHAIYA District- Muzaffarpur

Pankaj Kumar Son Of Sri Indu Rai Resident Of Village- Madhopur, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Kathaiya P.S.Case No.116 of 2020 for the offences
punishable under Sections 414, 399, 402/34 of the Indian Penal
Code and section 25(1-b) a, 26, 35 of the Arms Act and section
8,20,22, of the NDPS Act.

As per prosecution case, on secret information, raid
was conducted and three persons were arrested. They disclosed
the name of the petitioner as their associate.

Learned counsel for the petitioner submits that
petitioner was neither arrested on the spot nor anything has



been recovered from his possession. It is submitted that this petitioner has been remanded in this case on 2.11.2020 from Baruraj P.S. Case No. 169 of 2020. Though the petitioner has been implicated in three other cases but on the basis of confessional statement of co-accused, he has been remanded in the present case. Petitioner is in custody since 2.11.2020.

The learned A.P.P. opposed the prayer for bail of the petitioner and submits that the name of the petitioner has come on the confessional statement of co-accused.

Having heard the rival contentions of the parties and taking into consideration the fact that the name of petitioner has been transpired on the basis of confessional statement of co-accused and the material available on the record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Session Judge, Muzaffarpur in connection with Kathaiya P.S. Case No. 116 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial. (ii) He will remain present on each and every date of trial



till disposal of the case.(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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