

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39899 of 2023

Arising Out of PS. Case No.-999 Year-2022 Thana- BIHTA District- Patna

PANKAJ KUMAR Son Of Sharda Nand Singh @ Shraddha Nand @
Shraddha Rai, Village- Suarmarwa, P.S.- Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dineshwar Mishra, Adv. Mr. Ajit Kumar Singh, Adv. Mr. R.K. Goswami, Adv.
For the Opposite Party/s :		Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. Petitioner seeks regular bail in connection with Bihta P.S. Case No. 999 of 2022, dated 29.09.2022 registered for the offences punishable under Sections 147, 148, 149, 307, 379, 120(B), 160, 216 and 302 of the Indian Penal Code and Section 27 of the Arms Act.
3. The main submissions advanced by petitioner's counsel are that the instant matter relates to an incident of firing which took place in between two groups consisting of several persons on account of rivalry running in between them due to mining of sand, though, in the present matter three persons lost their lives but the petitioner is not named in the FIR and against



him there is no allegation and several co-accused persons namely Rahul Rai, Vinod Rai, Arun Rai, Deepak Kumar @ Deepak Ray, Arun Rai, Gopal Rai and Navin Kumar who are named in the FIR, have been granted regular and anticipatory bail by different Benches of this Court vide orders passed in Cr. Misc. Nos. 17246 of 2023, 11470 of 2023, 24396 of 2023, 25668 of 2023 and 41263 of 2023 respectively and petitioner's case stands on better footing from them as he is not named in the FIR and his name came into light during investigation and he has been languishing in jail since 03.10.2022 having fair and clean antecedent and against him investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly the facts that several co-accused persons who are named in the FIR are on bail and petitioner is not named in the FIR and the alleged occurrence was result of rivalry in between two groups on account of mining of sand and also taking into account the petitioner's fair and clean antecedent, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of the concerned Court in connection
with Bihta P.S. Case No. 999 of 2022.

(Shailendra Singh, J.)

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