

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38889 of 2023

Arising Out of PS. Case No.-810 Year-2021 Thana- NAGAR District- Vaishali

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Pankaj Kumar @ Pankaj K Rai @ Pankaj Kumar Rai S/O Babaji Rai @ Ram
Ishvar Ray @ Babaji R/O Village- Minapur, Ward No. 31, P.S- Hajipur Town,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant
of regular bail in a case registered for the offences punishable
under Sections 307/34 of the Indian Penal Code and Section 27 of
the Arms Act.

As per prosecution case, the allegation against the
petitioner is that he along with other co-accused persons fired
upon the informant causing hurt on elbow and stomach and the
informant fell down on the ground then the accused persons fled
away on motorcycle.

It is submitted by learned counsel for the petitioner that
the petitioner is innocent and has committed no offence. He has
falsely been implicated in the present case. No any firearms have



been recovered from his conscious possession. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. As per F.I.R., it is apparent that the entire allegation of calling the informant and the first shot of firing are levelled against co-accused Anuj Kumar @ Gharghar, who has already been enlarged on bail by another coordinate Bench of this Court vide order dated 22.06.2023 passed in Cr. Misc. No. 3765 of 2023. Moreover, the petitioner is languishing in judicial custody since 07.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hajipur Town P.S. Case No. 810 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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