

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45272 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- MANSURCHAK District- Begusarai

Pankaj Jha @ Pankaj Kumar Jha son of Anil Jha Village- Dhakjari Ward no-
7, Ps- Mansoorchak Dist- Begusarai Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.10.2022 in connection with Mansoorchak P.S. Case No. 92 of
2022, F.I.R. dated 19.10.2022 for the offences punishable under
Sections 302, 120(B)/34 of the Indian Penal Code along with
Section 27 of the Arms Act.

3. According to prosecution case, brother of the
informant was killed by four persons.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that as alleged
in the F.I.R., petitioner has called the deceased at the place of
occurrence (Chimni). He further submits that the informant is
not the eye witness of the alleged occurrence and Chandan
Mahto is the only eye witness of the alleged occurrence. He



further submits that the statement of Chandan Mahto was recorded in Para-29 of the Case Diary, in which he has categorically stated that the co-accused person, namely, Rohit Jha has fired upon the victim and he has not stated anything about the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submit that Suprabhat @ Sudhanshi Kumar Jha has been granted bail vide order dated 21.06.2023 in Cr. Misc. No. 31366 of 2023. The petitioner is in custody since 01.10.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has called the victim at the place of occurrence and the post-mortem report suggest that the victim has received four injuries on the person of the deceased but fairly submits that except the aforesaid, no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

6. Considering the aforesaid facts and circumstances, 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 the learned Judicial



Magistrate – Ist, Class, Begusarai, in connection with Mansoorchak P.S. Case No. 92 of 2022, subject to the following conditions:-

i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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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