

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49378 of 2023**

Arising Out of PS. Case No.-165 Year-2021 Thana- GANGABRIDGE District- Vaishali

Pankaj Ray @ Pankaj Yadav @ Pankaj Kumar Son Of Kailash Ray Resident
Of Village- Litiyahi, Ps- Rustampur, Dist- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 07-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Ganga
Bridge P.S. Case No.165 of 2021 registered for the offence
under Sections 147, 148, 149, 353, 224, 225, 332, 333, 307 and
504 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 28.01.2023.

4. The allegation against the petitioner is to assault
informant, who is none but excise officer alongwith 14 named



and 35 unknown co-accused persons by means of pelting stones, brickbat, iron rod etc., having intention to deter informant to discharge his official function.

5. Learned counsel appearing on behalf of the petitioner submitted that the maximum allegation against this petitioner appears to be part of mob only as per F.I.R., where learned Trial Court rejected the prayer of bail out of his criminal antecedents, as he found involved in nine criminal cases of excise, where he is on bail in all the nine cases, having otherwise no bearing over the merit of the present case. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as allegation against petitioner appears only being part of mob only as per narration of the F.I.R., coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.01.2023, accordingly, petitioner, above named, is directed to be released on bail in connection



with Ganga Bridge P.S. Case No.165 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 learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further conditions :-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.



(iii) That one of the bailors
shall be deponent of the present bail
petition.

(Chandra Shekhar Jha, J)

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