

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53673 of 2022**

Arising Out of PS. Case No.-18 Year-2017 Thana- DARAUNDA District- Siwan

Pankaj Singh S/O Jitendra Singh Resident of village- Chhajawan, P.S.- Ander,  
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      18-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail, who is remanded in this since  
04.10.2021 in connection with Sessions Trial No. 153 of 2022  
arising out of Daraunda P.S. Case No. 18 of 2017, F.I.R. dated  
07.02.2017 for the offences punishable under Sections 302/34  
of the Indian Penal Code and Section 27 of the Arms Act and  
later on Section 120(B) of the Indian Penal Code was added.

According to prosecution case, as per F.I.R. allegation  
against the petitioner and other co- accused persons is of firing  
on the deceased and the postmortem report finds three wounds  
of entry and three wounds of exist.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused namely, Rajan Kumar Singh. He further submits that it appears from the F.I.R. that the informant has categorically stated that the co-accused person who was named in the F.I.R. has fired upon the brother and cousin brother of the informant and there is no allegation even that the petitioner was present at the place of occurrence. He further submits that except the confessional statement of co-accused namely, Ranjan Kumar Singh no other cogent material has come during investigation to suggest the involvement of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is remanded in this since 04.10.2021.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one, in which he is on bail.

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 Additional District and Sessions Judge-III, Siwan in connection with Sessions Trial No. 153 of 2022, arising out of Daraunda P.S. Case No. 18 of 2017, subject to the following conditions:-

1. 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.

2. 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.

3. 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)**

mdrashid/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

