

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73115 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- SAHPUR District- Patna

PANKAJ KUMAR SINGH @ PANKAJ SINGH @ PAPPU SINGH Son of
Bhuneshwar Singh R/V- Patlapur, P.S- Shahpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
29.07.2022, in connection with Shahpur P.S. Case No.
201/2022, F.I.R. dated 06.05.2022, for the offences punishable
under Sections 120(B), 147, 148, 149, 341, 342, 323, 307, 379,
504, 506 of the Indian Penal Code and Section 27 of the Arms
Act.

According to prosecution case, on the order of Suresh
Singh, Himanshu Kumar and Shailesh Singh, co-accused Udai
Rai fired upon the son of the informant causing injury on his
chest and when the son of the informant tried to flee away, the
petitioner snatched a golden chain from the neck of the



informant's son.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is no allegation of any assault or overt act is attributed against the petitioner rather the allegation in the F.I.R. that the petitioner has snatched a golden chain from the victim. He further submits that the allegation of firing is attributed against the co-accused, namely, Udai Rai, who shot the informant's son on his chest and there is general and omnibus allegation against all the accused persons including the petitioner and similarly, situated co-accused persons, namely, Ganesh Singh has been granted bail by this Court vide order dated 03.02.2023 passed in Cr. Misc. No. 45454 of 2022, other co-accused namely, Suresh Singh has been granted bail vide order dated 19.12.2022, passed in Cr. Misc. No. 51997/2022, other co-accused namely, Bhubaneshwar Singh has been granted bail vide order dated 14.02.2023 passed in Cr. Misc. No.52902 of 2022 and other co-accused namely, Abdul Sattar has been granted bail vide order dated 10.02.2023 passed in Cr. Misc. No. 59815 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in



custody since 29.07.2022.

The learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the prescient one but fairly submits that the co-accused persons have been granted bail by different Co-ordinate Bench of this Hon'ble Court.

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 Chief Judicial Magistrate-I, Danapur, Patna, in connection with Shahpur P.S. Case No. 201/2022, 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)

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