

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14206 of 2024

Arising Out of PS. Case No.-5 Year-2022 Thana- KRITYANAND NAGAR District- Purnia

Pankaj Kumar @ Aryan Yadav @ Pankaj Son of Vijay Yadav Resident of
Village- Inerba, Ward No.-03, Police Station - Marona, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar P

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh,APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-03-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with K.

Nagar (Champanagar) P.S. Case No. 05 of 2022 dated
05.01.2022 registered for the offence(s) punishable under
Section(s) 25(1-b)a and 26 of Arms Act.

3. Mr. Surya Narayan Yadav, learned counsel
appearing for the petitioner submits that the petitioner earlier
preferred Cr. Misc. No. 29447 of 2022 for the relief of regular
bail which was rejected by this court vide order dated
01.09.2023 and thereafter the petitioner has again come before
this court for the same relief of bail mainly on the ground of his
long incarceration period as well as no significant progress in
his trial. He further submits that the petitioner has been
languishing in jail since 05.01.2022 and he is being tried by the



court of 1st Class Magistrate and his trial has commenced and upon him, the charge was framed on 22.09.2022 and thereafter only two prosecution witnesses have been examined out of seven prosecution witnesses which shows the lingering attitude of the prosecution.

4. Mr. Uday Pratap Singh, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly taking into account the petitioner's custody period as well as no significant progress in his trial despite the charges having been framed upon him on 22.09.2022 which shows the lingering attitude of the prosecution in producing and examining the prosecution's witnesses despite most of the prosecution witness being official persons, hence, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above 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 concerned Court in connection with K. Nagar (Champanagar) P.S. Case No. 05 of 2022.

(Shailendra Singh, J)

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