

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52524 of 2024

Arising Out of PS. Case No.-40 Year-2003 Thana- SILAO District- Nalanda

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Pankaj Kumar @ Pankaj Chouhan S/O Rajendra Prasad Resident of Village-
Pathla Tilha, P.S.- Nalanda, District-Nalanda Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramswarup Prasad
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 02-08-2024 Heard the learned counsel for the petitioner as well

as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Silao P.S. Case No. 40 of 2003 for the offences punishable
under Sections 25(1-B)(a) and 27 of the Arms Act.

3. As per allegation, on an information, the informant
along with police personnel reached the place of occurrence and
found that the owner of the shop and his brother have sustained
fire-arm injuries by the miscreants but one miscreant armed
with double barrel pistol, loaded with two empty cartridges was
apprehended by the people.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that the petitioner was on
bail in this case but he was also wanted in another case and he
was imprisoned in that case and it was the reason that he could
not appear on the fixed date i.e. on 18.01.2024 and his bail bond
was cancelled.



5. From perusal of the impugned order, it appears that the petitioner, prior to the present misuse, has twice misused his privilege for bail. The learned trial court mentioned that it is a case of 21years old and due to absconding of the petitioner, the case has lingered for a considerable long duration.

6. On the other hand, the learned APP has opposed the prayer for bail.

7. Considering the above-mentioned facts and circumstances, the petitioner above-named is directed to furnish bail bond **after examination of 3/4th charge-sheeted witnesses** and on doing so, he will be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Bihar Sharif, Nalanda in connection with Silao P.S. Case No. 40 of 2003, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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