

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 47932 of 2024**

Arising Out of PS. Case No.-92 Year-2024 Thana- PIPRA District- East Champaran

Pankaj Kumar Son of Shambhu Yadav Resident of Vill- Ahiyapur, P.S.-  
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      05-07-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Pipra P.S. Case No. 92 of 2024, instituted for the offences punishable under Sections 399, 402, 413, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that, there is recovery of one country made pistol loaded with one live cartridge and one mobile phone from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has no concern with the alleged recovery. The petitioner is in custody since 29.03.2024 and has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 19.06.2024 passed in Cr. Misc. No. 41784 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. Case No. 92 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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