

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50751 of 2024

Arising Out of PS. Case No.-85 Year-2021 Thana- MAHISHI District- Saharsa

Pankaj Yadav Son Of Jugeshwar Yadav, Resident Of Village - Sukhasni,
Police Station - Bakhtiyarpur (kanriya O.P), District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the State : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahishi P.S. Case No. 85 of 2021 dated 29.05.2021, registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and Sections 25(1-B) (a), 26, 27 and 35 of the Arms Act.

3. The prosecution case as emerging from the FIR is that an information was received by the informant from Parweej Alam about his father having been shot dead by accused persons.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that F.I.R. has been lodged against unknown persons and his name has transpired in the confessional statement on co-accused Bablu Kumar and Rahul



Kumar who have already been enlarged on bail by this Court vide order dated 19.12.2022 passed in Cr. Misc. No. 4590 of 2022.

5. The petitioner has been languishing in jail since 28.02.2024.

6. It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

7. It has further been stated in paragraph no. 3 of the petition that the petitioner has earlier been made accused in seventeen other cases.

8. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances and similarly situated co-accused persons, namely, Bablu Kumar and Rahul Kumar, who have already been enlarged on bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Additional Sessions Judge-II, Saharsa in connection with Mahishi P.S. Case No. 85 of 2021 on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the Court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

S.Ali/ravishankar-

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