

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58623 of 2024

Arising Out of PS. Case No.-420 Year-2023 Thana- NAVINAGAR District- Aurangabad

Pankaj Kumar Son of Naresh Mehta @ Ram Naresh Mehta @ Ram Naresh Mehata Resident of Village- Kanker, Barem, P.S.- Badem O.P, Nabinagar, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Ch. Verma, Sr. Adv. Mr. Ashok Kumar Singh, Adv. Mr. Abhishek Kumar Singh, Adv.
For the Opposite Party/s :		Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-11-2024 Heard Learned Senior Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.216/2024/28/2024 arising out of Nabinagar P.S. Case No. 420 of 2023 dated 01.11.2023, lodged under Sections 147, 149, 332, 333, 379, 411, 427, 353, 307, 302 and 120(B) of the Indian Penal Code.

3. Learned Senior Counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected *vide* order dated 24.01.2024 passed in Cr. Misc. No. 2236 of 2024. Senior Counsel submits that the petitioner was said to be the liner as per the FIR. Senior Counsel further



submits that *vide* order dated 10.04.2024 passed in Cr. Misc. No.86371 of 2023 with analogous cases, the liners were granted bail, whereas, regular bail of the driver of the tractor was rejected on the said date. Senior Counsel submits that his case is exactly similar to those accused persons who were liners and granted bail. Senior Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 02.11.2023.

4. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that other liners have been granted bail but it is also true that bail application of the petitioner has earlier been rejected.

5. Upon specific query of the Court from the Senior Counsel for petitioner that whether charge has been framed in this case or not, he submits that charge has been framed in this case and evidence of prosecution witness is going on.

6. In the present facts and circumstances of this case, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VII, Aurangabad in connection with Sessions Trial No.216/2024/28/2024 arising out of Nabinagar P.S. Case



No. 420 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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