

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67477 of 2024

Arising Out of PS. Case No.-471 Year-2022 Thana- KHUSRUPUR District- Patna

Pankaj kumar Son of Mithilesh Kumar Yadav @ Mithilesh Singh R/V-
Village- Lodipur, Mansurpur, P.S.- Khusrupur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Khusrupur P.S. Case No. 471 of 2022, registered on 06.12.2022, for the alleged offence under Sections 341, 323, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, due to previous enmity, the petitioner and other co-accused persons opened indiscriminate firing upon the informant, causing injuries to him. The occurrence took place in the background of fact that cousin of the informant and his wife were murdered and in that case the petitioner and other co-accused persons were accused



and the informant was main witness.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The specific allegation of firing is against co-accused, Bablu Singh and Sanjit Kumar and not against this petitioner. Learned counsel further submits that there was no involvement of the petitioner in the case of murder of the cousin of the informant and his wife. Though the cause of occurrence is stated to be due to involvement of the petitioner in Khusrupur P.S. Case No. 330 of 2022 but in the said case police submitted final form against the petitioner. However, in order to pressurize the petitioner, this false case has been lodged. The petitioner is having antecedent of three cases but final form has been submitted in one of the cases.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that there is allegation of opening fire against the petitioner along with other co-accused person.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioner along with his clean antecedent, let the petitioner above named, in the



event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna City/concerned court in connection with Khusrupur P.S. Case No. 471 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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