

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66744 of 2024

Arising Out of PS. Case No.-882 Year-2023 Thana- MANER District- Patna

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Pankaj Kumar @ Pankaj Rai S/O Harendra Rai R/o - Suarmarwa, P.S -
Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Maner P.S. Case No. 882 of 2023 registered for the
offences punishable under Sections 379, 386, 120(B) of the
Indian Penal Code and Section 25(1-B)a, 26 & 35 of the Arms
Act.

3. As per prosecution case, the allegation has been
made against the co-accused persons including the petitioner of
demanding extortion money for illegal excavation of sand on
the strength of weapons. The police has arrested two accused
persons with country made pistol, 10 live cartridges from cow
shed of the co-accused.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no any independent witness in the present case. It is submitted that petitioner has no concern with the recovered arms and the same were recovered from the possession of co-accused. Petitioner bears two criminal antecedents. It is lastly submitted that co-accused have been allowed anticipatory bail by this Court vide orders dated 17-05-2024, 25-06-2024 & 12-07-2024, passed in Cr. Misc. No. 38138 of 2024, Cr. Misc. No. 40176 of 2024 & Cr. Misc. No. 46228 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Maner P.S.
Case No. 882 of 2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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