

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79667 of 2024

Arising Out of PS. Case No.-256 Year-2024 Thana- RAJAPAKAR District- Vaishali

Pankaj Kumar Singh, Son of Lalbahadur Singh, Resident of Village-
Madhaipur, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-12-2024 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Rajapakar P.S. Case No. 256 of 2024,
registered for the offence punishable under Sections 310(4),
310(5), 317(5) of the Bharatiya Nyaya Sanhita and Sections
25(1-B)(a), 26 and 35 of the Arms Act.

3. The police on a tip off assemblage of miscreants,
raided a mango orchard and apprehended four persons,
including the petitioner. From the possession of the petitioner
one country made pistol and one knife were recovered.

4. Learned Advocate for the petitioner contended
that, in fact, on account of the past criminal antecedent of the
petitioner, as has been disclosed in para-3 of the bail application,



his name has been implicated in this case. In fact, on the alleged date and time of occurrence, the petitioner was just near the place of occurrence and, on suspicion, he was nabbed by the police, showing recovery of the arms and ammunition. It is next contended that co-accused Vikash Kumar and Jeewachh Kumar from whose possession live cartridges and knives were recovered, have been allowed the privilege of bail by this Court. So far the petitioner is concerned, now he has been incarcerated since 20.07.2024. The investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposed the bail application and submitted that the criminal antecedent of the petitioner speaks loud about his complicity in the present crime, besides recovery of the arms and ammunition.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and the charge-sheet has been submitted, the above named petitioner shall be released on bail, **on or after completion of six months of his custody**, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class-cum-Additional Munsif – 7th, Vaishali at Hajipur in connection with Rajapakar P.S. Case



No. 256 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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