

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81706 of 2023**

Arising Out of PS. Case No.-259 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Pankaj Singh, Son Of Late Balram Singh, R/O Village- Ladiyara, P.S.-  
Pipariya, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      05-03-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Lakhisarai P.S. Case No. 259 of 2023 lodged on 07.04.2023  
under Section 302 and 120B of the Indian Penal Code.

3. As per the prosecution case, the FIR has been  
lodged against six named accused persons, including the present  
petitioner with an allegation of killing the brother of the  
informant.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offense. It is true  
that the name of Pankaj Singh has figured in the FIR, but it is  
also true that there is nothing specific against him. In fact, the  
petitioner is accused in nine more criminal cases and only due to



this reason, his name has figured in this case. He is in custody since 08.08.2023. Moreover, the similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 16.08.2023 passed in Criminal Miscellaneous No. 48437 of 2023.

5. Learned counsel for the State opposes the prayer for bail and submits that in the case diary, it has come against the petitioner that he played the role of middleman between the main conspirator and the shooter. He further submits that at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration that the antecedent of the petitioner is not clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if already not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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.

7. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

(i) Lakhisarai P.S. Case No. 390/2012.

(ii) Lakhisarai P.S. Case No. 443/2014

(iii) Birpur P.S. Case No. 15/2016

(iv) Piparia P.S. Case No. 22/2016



- (v) Lakhisarai P.S. Case No. 447/2017
- (vi) Lakhisarai P.S. Case No. 14/2018
- (vii) Lakhisarai P.S. Case No. 52/2018
- (viii) Barahiya P.S. Case No. 309/2021
- (ix) Lakhisarai P.S. Case No. 411 of 2021.

(Dr. Anshuman, J)

Ashwini/-

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