

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84496 of 2024

Arising Out of PS. Case No.-141 Year-2019 Thana- JADIA District- Supaul

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Panchanand Das @ Pancha Das @ Panchu Das Son of Ganeshi Das @
Ganeshi Tatma Resident of village- Laxmipur Bhagwati, P.S.- Shrinagar,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Jadia P.S. Case No. 141 of 2019 dated 08.08.2019 registered
for the offence punishable under Sections 147, 148, 149,
450, 341, 342, 326, 307, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act. Later on, Section 302 of
the I.P.C. was added on 18.09.2019.

3. The prosecution case, in short, is that on
08.08.2019 in the morning, seven persons on three
motorcycles came and fired upon the informant's husband
as a result of which her husband died.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R.. The F.I.R. has been lodged against seven unknown persons. Only on the basis of confessional statement of co-accused Anil Sah, the petitioner has been made accused in this case. It is submitted that no T.I. parade has been conducted till date. It is submitted that co-accused, namely, Anil Sah has been granted bail vide order dated 01.06.2020 passed in Criminal Miscellaneous No.5852 of 2020 by a co-ordinate Bench of this Court. It is also submitted that six other accused persons have already been granted bail whose details have been mentioned in paragraph no. 10 of the bail application. Lastly, it has been submitted that the petitioner is in custody since 02.09.2021, having 18 criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the



parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II, Supaul in connection with Jadia P.S. Case No. 141 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the



Police Station of his local area every fortnight to mark his attendance till conclusion of the trial.

(Khatim Reza, J)

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