

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1826 of 2025**

Arising Out of PS. Case No.-102 Year-2023 Thana- PANDARAK District- Patna

Pankaj Kumar, Son of Arun Kumar @ Arun Yadav Resident of village -  
Gopkita, Mamrkhabad, P.S.- Pandarak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Javed Aslam, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      28-03-2025                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned Additional Public Prosecutor appearing on  
  
behalf of the State.

2. The accused/petitioner is named in F.I.R. and  
apprehending his arrest in connection with Pandarak P.S. Case No.  
102 of 2023, registered for the offences punishable under  
Sections 147, 148, 149, 341, 323, 353, 307, 504, 506 of the  
Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is to deter the  
informant, who was a Chaukidar from discharging his official duty,  
while he was posted at Mamrkhabad Chowk.

4. Learned counsel appearing on behalf of the petitioner  
submitted that the present FIR was lodged against 22 named



accused persons and 10-15 unknown accused persons. It is pointed out that petitioner was only the part of mob facing general and omnibus allegation without having any specific allegation of overt act. It is submitted that considering the said fact, the co-accused persons who were named in FIR, namely, Rakesh Kumar and Vikash Kumar were granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 37952 of 2024 dated 04.07.2024. It is submitted that the judicial parity demands that this petitioner deserves anticipatory bail. It is further submitted that petitioner found involved in four more criminal cases, where he is on bail. It is submitted that on exclusive score of criminal antecedents, the prayer of anticipatory bail of petitioner should not be denied if the merit of this case appears otherwise in balance of the petitioner. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Prabhakar Tewari Vs. State of Uttar Pradesh and Anr.*** reported in ***(2020)11 SCC 648.***

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as the allegation against petitioner is prima facie very much general and omnibus, where he appears



maximum the part of mob only, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Barh, Patna/concerned Court, where the case is pending in connection with Pandarak P.S. Case No. 102 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

**(Chandra Shekhar Jha, J)**

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