

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3326 of 2025

Arising Out of PS. Case No.-535 Year-2023 Thana- BAKHTIYARPUR District- Patna

Pankaj Kumar S/O Dinkar Prasad @ Dinkar Yadav R/O Vill.- Raghapur, P.s.-
Bakhtiyarpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 14-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Bakhtiyarpur P.S Case No. 535 of 2023 registered for the offences under Sections 307, 341, 323, 326, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the FIR, the informant was called by the petitioner and was subsequently demanded Rs. 1 lakh and was threatened of dire consequences and thereafter scuffle took place. It is further alleged that the petitioner directed to assault the informant and upon which the petitioner along with one Suraj, Amit and Dholu are said to have assaulted the informant with knife on his back and thereafter, on hulla 3-4 unknown miscreants also came and assaulted by Road, Lathi and Garassa.



It has further been alleged that co-accused Sanjiv and Raushi tried to press the neck of the informant and had snatched away Rs. 15,000/- from him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and no such incident as stated has occurred. Learned counsel has further stated that there is general and omnibus allegations against four named accused persons to have assaulted the informant with knife, however, from perusal of the injury report which has been brought by way of Annexure P2 it is evident that there is only two wounds which could have been caused by knife. The learned counsel has further submitted that during the course of investigation no incriminating article has been recovered from the possession of the petitioner and it has lastly been submitted that though the petitioner has antecedents of four criminal cases but he is on bail in all the four cases and he has been in custody since 17.10.2024.

5. The learned Additional Public Prosecutor for the State has opposed the prayer for bail and has stated that there is specific allegation upon the petitioner and others to have assaulted the informant with knife with an intention to kill.



6. Considering the aforesaid submissions and taking into account that there is general and omnibus allegations against the petitioner and three others to have assaulted the informant with knife and also taking into account the period of custody, let the petitioner, above named, be enlarged on bail on 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-III, Barh in connection Bakhtiyarpur P.S. Case No. 535 of 2023 subject to the conditions that

a. One of the bailors of the petitioner shall be her close relative.

b. The petitioner shall remain physically present in Court on each date of the trial.

c In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

d And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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