

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8631 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- ARA NAWADA District- Bhojpur

Pankaj Kumar S/o- Ram Kumar Ram Village- Aslan, P.S- Garhani, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rahul Kumar, Advocate
For the Opposite Party/s	:	Mr.Tarkeshwar Nath Thakur, APP
For the Informant	:	Mr. Madhu Prasun, Advocate
		Mrs. Renu Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-04-2025 Heard learned counsel for the petitioner, learned counsel for the Informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 386/2024 arising out of Ara Nawada P.S. Case No. 153/2024 dated 24.02.2024 registered for the offence punishable u/s 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 23.02.2024, an altercation took place between renter of Alok Kumar and the co-accused Randhir Kumar. Thereafter, Alok Kumar, Seema Devi, Mukesh Kumar, and Pankaj Kishore went to the house of the co-



accused, Randhir Mahto to protest. In the meantime, the co-accused, Randhir Mahto started abusing them. On protest, the petitioner came from the house of Randhir Mahto and ordered to bring pistol. Thereafter, the petitioner and the co-accused persons, Wakil and Aryan went to the house of Randhir Mahto and came holding pistols. Thereafter, the co-accused, Randhir Mahto took the pistol from the hand of the co-accused, Wakil and the petitioner along with the co-accused Wakil caught hold of the informant's husband and on the order of the co-accused, Aryan, Randhir Mahto fired on the informant's husband, causing injury. On hearing the noise, nearby people gathered there. Thereafter, the informant's husband was taken to the hospital where he succumbed to the injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of firing is against the co-accused, Randhir Mahto. Learned counsel has submitted that the allegation against the petitioner is of holding the informant's husband. The other co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 20.11.2024 passed in Cr. Misc. No. 61689/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner



is in custody since 04.03.2024.

5. Learned A.P.P. for the State as well as learned counsel for the Informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Sessions Trial No. 386/2024 arising out of Ara Nawada P.S. Case No. 153/2024, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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