

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20686 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- BISHANPUR District- Darbhanga

Pankaj Kumar S/O Late Manoj Baitha @ Manoj Baitha R/o - Bishanpur,
Rupauli, P.S - Bishanpur, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Ms.Pushpa Sinha.1, APP
For the Informant : Mr. Nafisuzoha, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 15-07-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with

Bishanpur P.S. Case No. 05 of 2024 instituted for the

offences under Section 302/34 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. named

accused persons including the petitioner are said to have

assaulted the father of the informant due to which he died.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as

alleged against him and has falsely been implicated in the



present case. Both the parties are agnate and there is an admitted land dispute existing between them. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is 70 years of age and is suffering from old ailments. The petitioner has no criminal antecedent and is languishing in judicial custody since 25.11.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Subhash Kumar has already been granted anticipatory bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 30056 of 2024.

6. On the other hand, learned A.P.P. for the State and Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The postmortem report supports the prosecution case. Charge-sheet has been submitted in this case.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the



case, the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bishanpur P.S. Case No. 05 of 2024.

(Rudra Prakash Mishra, J)

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