

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25246 of 2025

Arising Out of PS. Case No.-165 Year-2022 Thana- MALSALAMI District- Patna

Pankaj Kumar Son of Sanjay Kumar @ Sanjay Yadav Resident of Chhoti Mandir, Simali Pandariwa Simli, P.S.- Malsalami, Panta City, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tilak Sao

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-07-2025 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with Malsalami P.S. Case No. 165 of 2022 registered for the offence under Sections 363, 365/34 of the IPC later on case under Sections 302, 201, 120(B) of the IPC were also added.

3. The petitioner is not named in the F.I.R. and is in custody since 21.09.2024.

4. The allegation against this petitioner is to kidnap son of the informant aged about 19 years alongwith named co-accused persons and subsequently



committed his murder.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of named co-accused Tufani @ Amit Kumar, where in furtherance of absolutely nothing incriminating material recovered/surfaced to connect petitioner *prima-facie* with present occurrence of kidnapping and murder. It is submitted that similarly situated co-accused, namely, Prince Thathera has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 5053 of 2023 vide order dated 20.06.2023. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has already submitted and as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.



7. In view of aforesaid factual submission and by taking note of fact as save and except confessional statement *prima-facie* nothing incriminating material surfaced against this petitioner during the course of investigation, coupled with the fact that charge-sheet has already submitted, where petitioner remains in custody since 21.09.2024, accordingly the petitioner, above named, is directed to be released on bail in connection with Malsalami P.S. Case No. 165 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Patna City concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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