

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23686 of 2025

Arising Out of PS. Case No.-697 Year-2024 Thana- GAURICHAK District- Patna

Pankaj Kumar S/o Vinay Kumar Resident of village- Vishambar Tola,
Kandap, P.S.- Gaurichak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Srivastva, Advocate

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

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

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2 The petitioner seeks bail in connection with
Gaurichak P.S. Case No. 697 of 2024, instituted for the offences
punishable under Sections 103(1), 352, 61(2)(a), 351(3) of the
Bharatiya Nyaya Sanhita, 2023 read with Section 27 of the
Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons abused and fired upon the
informant due to which he died at the place of occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. Specific allegation of firing is attributed against co-accused, namely, Rahul Kumar. It is further submitted that the petitioner was only a member of the mob and no overt act is alleged against the petitioner. The petitioner is in custody since 23.11.2024 and has got no criminal antecedent. Similarly situated co-accused person has been enlarged on bail by this Court vide order dated 23-04-2025, passed in Cr. Misc. No. 21719 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Gaurichak P.S. Case
No. 697 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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