

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29457 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Pankaj Yadav @ Pankaj Kumar, aged about 43 years, Male, Son of Suresh
Yadav, R/V -Ashok Ghat, Kriti Tola, PS -Sahebpur Kamal, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nakul Kumar Jamuar, Advocate
For the Opposite Party : Mr. Amitesh Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sahebpur Kamal P.S. Case No. 332 of 2024 dated 05.10.2024
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 352, 351(1), 351(2), 109(1) read with Section
3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, on 04.10.2024 at about
6.10 P.M. the informant Vijay Yadav was making preparation to
feed his buffalo, in the meantime, the co-accused Amit Kumar,
his brother Pankaj Kumar (petitioner) and his father Suresh
Yadav (petitioner) came on the motorcycle and abused and
when the informant asked about it from Sanjeet Yadav who is



the son of the Sarpanch Saheb, in the meantime, Pankaj Yadav (petitioner) by abusing him told that he is searching him for two months and threatened that he would kill him and then the co-accused Amit Yadav caught hold of the informant from behind and thereafter Pankaj Yadav (petitioner) shot fire on him from his pistol which hit in his stomach. When the cousin brother of the informant, namely, Siko Yadav, came to rescue him, on the order of the co-accused Suresh Yadav, Pankaj Yadav (petitioner) made indiscriminate firing and one fire shot hit on the head of Siko Yadav and one shot hit to one Balita Kumari on her sole of right foot and due to oozing of blood, the informant became unconscious. The informant gained his conscious in P.H.C., Sahebpur Kamal and thereafter three injured persons were brought to Sadar Hospital, Begusarai and were admitted in I.C.U. Ward, for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is a farmer and the informant and his family members have falsely implicated the petitioner in the present case. The informant has money power and political power and the petitioner has a plot at the bank of *Gandak River* and the informant wants to grab his said land



forcibly by using his political approach and money power and firing was made by any other person but the entire family of the petitioner has falsely been implicated in the present case. It is further submitted that the doctor has examined the informant Vijay Yadav and opined on 26.11.2024 - 'A/C to investigation report injury is simple and might be caused by sharp force' and the doctor in his injury report dated 05.10.2024, has opined-'Investigation report not received so opinion reserved'. The doctor has also examined Ganita Kumari (Balita Kumari has been mentioned in the F.I.R.) and Siko Yadav and has opined-'Investigation report not received so opinion reserved. The petitioner has five criminal antecedents and in three cases, he is on bail as stated in paragraph no. 3 of the bail petition as well as in paragraph no. 2 of the supplementary affidavit filed on behalf of the petitioner. The petitioner is in custody in this case since 09.12.2024.

5. Learned A.P.P. for the State has 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 Additional Chief Judicial Magistrate-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 332 of 2024 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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