

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30405 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- MINAPUR District- Muzaffarpur

Pankaj Kumar S/o Late Ram Ishwar Singh R/o vill - Patiyasa, P.S.- Garha,
Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate
	:	Mr. Ritwik Thakur, Advocate
For the State	:	Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2025 Heard Mrs. Vaishnavi Singh, learned counsel for
the petitioner and Dr. Kumar Uday Pratap, learned APP
representing the State.

2. The petitioner is in custody in connection with
Minapur P.S. Case No. 283 of 2024 for the offence punishable
under sections 109, 103(1) and 3(5) of the B.N.S. and section
25(1-B)a, 26, 27 and 35 of the Arms Act, lodged on 26.08.2024
by the informant, Baby Devi.

3. As per the prosecution story, the informant alleged
that while she was at her verandah, unknown person entered her
shop and shot at her son, Niraj Kumar and husband, Nandlal
Sah, they received injuries on the chest at stomach respectively.
The description of the two accused has also been given. As they



pointed pistol towards her, she retreated while Vijay Kumar (her brother-in-law) tried to catch them when allegation is that he was shot in the head. They were shifted to the hospital where brother-in-law, Vijay Kumar succumbed to the injury. This led to the F.I.R.

4. Earlier the coordinate Bench had called for the case diary on 20.05.2025 which is on record.

5. Learned counsel for the petitioner submits that though he has criminal antecedent, the petitioner has no role to play in the alleged occurrence which as per the confession of Chhotu Kumar was actually committed by Shivam, Lakhindra and Bittu, only because they had association with the three accused, the Police pick them up and later Chhotu Kumar made confession regarding the alleged occurrence. He is in custody since 22.11.2024 and if granted relief, he shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that the role of the petitioner has also come and he has criminal antecedent.

7. This Court has gone through the case diary and the confessional statement of the Chhotu Kumar in which he has recorded the facts relating to their association with the accused



persons and has further narrated that on that evening Shivam came to his house and informed that in course of snatching, they (Shivam, Lakhindra and Bittu) opened fire causing injury to two persons and further as they were in the process of escape, which hit the head of another person.

8. Considering the aforesaid facts as also the materials on record coupled with the fact that the petitioner is in custody since 22.11.2024, in that background, this Court is inclined to extend him the privilege of bail.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class (East) Muzaffarpur in connection with Minapur P.S. Case No. 283 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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