

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37253 of 2025

Arising Out of PS. Case No.-179 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Pankaj Kumar S/O Yogi Rai R/O Village- Maheshafarakpur Tola Larkaniya,
P.S- Runnisaidpur, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahindwara P.S. Case No. 179 of 2023 instituted for the offence under Sections 399, 402, 413, 414 & 34 of the Indian Penal Code and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per the prosecution case, on secret information regarding assembly of anti-social elements, police proceeded to the place of occurrence and apprehended four accused persons. On search, the police recovered arms and ammunition from them. It is alleged that the one person successfully escaped from there. On enquiry, the apprehended persons disclosed the name of absconding miscreants as Pankaj Kumar, the petitioner.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.09.2024. Petitioner bears eight criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. No incriminating article/arms and ammunition has been recovered from the physical/conscious possession of the petitioner. No T.I.P. has been conducted in this case and the petitioner has no concern with the alleged occurrence. It is lastly submitted that charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 08-04-2024, passed in Cr. Misc. No. 23996 of 2024. Co-accused Sriram Kumar has also been granted bail by this Court vide order dated 19.07.2024 passed in Cr. Misc. No. 50264 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner 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 Mahindwara P.S. Case No. 179 of 2023.

(Rudra Prakash Mishra, J)

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