

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63652 of 2025

Arising Out of PS. Case No.-453 Year-2015 Thana- BEGUSARAI TOWN District- Begusarai

Pankaj Kumar @ Pankaj Pandit Son of Late Damodar Pandit Resident of
village - Mirjapur, Bandwara, Ward No.- 42, Sharma Tola, Bishunpur, P.S.-
Town, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Shri Chandra Bhushan Prasad.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 326, 307,
120B of the Indian Penal Code and Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Piyush fired causing fire-arm injury on his left
chest.
4. Learned counsel for the petitioner next submits that
petitioner is not named in the FIR and his name transpired in the
course of investigation, but then police, after threadbare
investigation, came to a considered conclusion that petitioner is



innocent and thus submitted Final Form No. 17 of 2020 dated 25-1-2020, exonerating the petitioner of the allegation. It is further submitted that five years after final form was submitted, the learned trial court took cognizance by an order dated 12-3-2022 and on 16-6-2025 the petitioner received a summons and thus apprehends arrest, as cognizance has been taken under Section 307 of the IPC also apart from other sections. The learned counsel for the petitioner next submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent, whether it would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation. It is also submitted that petitioner will not abscond, rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. for the State, Shri Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Town P.S. Case No. 453 of 2015, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioner after obtaining anticipatory bail is trying to delay the framing of charge or after framing of charge is delaying the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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