

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4069 of 2026

Arising Out of PS. Case No.-744 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Pankaj Kumar @ Pankaj Singh Son of Janardhan Singh Resident of Village -
Dharnihatta, Police Station - Uchkagaon, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Gopalganj
Town P.S. Case No. 744 of 2024, instituted for the offences
punishable under Sections 118(2), 109, 118(1), 61(2) & 3(5) of
the Bharatiya Nyaya Sanhita, 2023 read with Sections 25(1-B)
(a), 26, 27 and 35 of the Arms Act. Earlier vide order dated
11.09.2025, passed in Cr. Misc. No. 43917 of 2025, anticipatory
bail of the petitioner was rejected by this Court.

3. The prosecution case, in short, is that some assailants
surrounded the prisoner – Vishal Singh and fired upon him. It is
further alleged that in course of firing, the injured, namely,
Gulab Hussain was also shot by the miscreants.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not apprehended from the spot and his name has surfaced in this case on the basis of the confessional statement of the co-accused. As per self-confessional statement, the allegation of opening firing is upon Suresh Kumar. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. No specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. It is further submitted that specific allegation of firing is against co-accused, namely, Suresh Kumar from whose possession, the police has recovered one country made pistol along with eight live cartridges. The petitioner is in custody since 15.10.2025 and has got no criminal antecedent. He further submits that the co-accused has already been granted bail by this Court vide order dated 19.09.2025 passed in Cr. Misc. No. 50956 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalganj P.S. Case No. 744 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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