IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52649 of 2026

CNR No. BRHC010758032026

Arising Out of PS. Case No.-50 Year-2016 Thana- MAKER District- Saran

==========

Pankaj Rai @ Umesh Rai, S/o Late Surendra Rai, R/o Village-Prithvipur, P.S.-Panapur, District - Saran.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :
For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

5 27-10-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Maker P.S. Case No.50 of 2016 registered for the offences punishable under Sections 386, 387, 399, 402, 120-B of the Indian Penal Code (in short 'IPC'), Sections 4 and 5 of the Explosive Substances Act as well as Section 16(1)B, 17, 18, 18(a), 19, 20, 38, 39 and 40 of the U.A.P. Act.

3. The accused/petitioner is named in the FIR and is in custody since 23.03.2026.

4. As per FIR, the petitioner along with other

WEB COPY

named co-accused persons were indulged in naxal activities and were also planning and preparing for committing dacoity. It is alleged that country-made rifle, detonators, live cartridges were recovered from the possession of apprehended co-accused persons.

5. It is submitted by learned counsel appearing for the petitioner that the petitioner was not apprehended on spot and his name was transpired on the basis of disclosure made by apprehended co-accused persons. It is pointed out that nothing incriminating was recovered from the possession of this practitioner, which may suggest his involvement with alleged preparation or illegal activities.

6. Arguing further, it is submitted that similarly situated co-accused persons, who were also apprehended from spot namely, Amin Sahni and Ambika Mahto were granted bail by different co-ordinate Bench of this Court through Cr. Misc. No.54964 of 2018 dated 28.09.2018 and Cr. Misc. No.12356 of 2021 dated 17.08.2021 and, therefore, as a matter of judicial parity, this petitioner also deserves bail.

WEB COPY

7. Explaining criminal antecedent, it is submitted that petitioner was found indulged in two more criminal cases, where he is on bail. While concluding argument, it is submitted that investigation of this case has already concluded, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

8. Learned APP opposed the prayer for grant of bail to the petitioner.

9. In view of aforesaid factual submissions and by taking note of fact, as *prima facie* except suspicion arising out of disclosure, nothing incriminating appears against petitioner during investigation as to connect him with present crime in question, coupled with the fact that investigation of this case has already concluded, where petitioner remains in custody since 23.03.2026, accordingly, the petitioner, above-named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Saran at Chhapra in connection with Maker P.S. Case No.50 of 2016, subject to the conditions as

WEB COPY

laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bharatiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	

WEB COPY