IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62064 of 2026

CNR No. BRHC010890972026

Arising Out of PS. Case No.-363 Year-2025 Thana- HUSSAINGANJ District- Siwan

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Pankaj Mishra S/o Manoj Mishra Resident of Village - Mahadeva Bazar, P.S. - Mahadeva O.P., District - Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

3 30-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Hussainganj P.S. Case No. 363 of 2025 registered for the offences punishable under Sections 308(4), 109, 3(5) of the BNS and under Section 27 of the Arms Act.

3. As per the prosecution case, two unknown persons arrived at a petrol pump where the informant was working as a nozzle man. They got petrol worth Rs. 550/- filled in their vehicle and, upon being asked for payment, refused to pay and fired at the informant with a pistol, causing injury to his right elbow. Subsequently, during investigation, the name of the

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petitioner surfaced in the case.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case. It is submitted that the petitioner is not named in the FIR and the name of the petiitoner has transpired merely on the basis of self confessional statement before the police. No TIP has been conducted in this case. No incriminating article has been recovered from the conscious possession of this petitioner.

5. It is submitted that there is no any specific allegation of firing attributed against the petitioner and further there is no any independent witness identifying the petitioner. Petitioner is having one criminal antecedent and is languishing in judicial custody since 29.11.2025. Investigation has already been completed and charge-sheet has been submitted. There is no likelihood of absconding or tampering with the evidence.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail

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bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan/concerned court in connection with Hussainganj P.S. Case No. 363 of 2025, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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