

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78462 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- ARA NAGAR District- Bhojpur

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Pankaj Kumar @ Pankaj Yadav @ Pankaj Kumar Yadav Son of Late Santosh Yadav @ Santoshi Yadav Resident of Village - Bhaluhipur, Police Station - Ara Town, District - Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar. Advocate
For the State	:	Mr. Humayou Ahmad Khan, APP
For the Informant	:	Mr. Aashiwats, Advocate
		Ms. Mili Kumari, Advocate
		Ms. Shambhawi, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner seeks bail in connection with Ara Town P.S. Case No. 254 of 2025 dated 21.04.2025, registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation, the arms were recovered from co-accused, Lala Yadav and Lalan Bind which were used in the commission of murder for which Ara Town P.S. Case No. 247 of 2025 was registered and as per the confessional statement of co-accused, Lala Yadav and Lalan Bind, the arms were procured from the present petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no recovery of any arms in pursuance of Ara Town P.S. Case No. 247 of 2025 from the petitioner and the arms were recovered from the co-accused, Lala Yadav and Lalan Bind. The only material against the petitioner is so-called confessional statement of co-accused, Lala Yadav and Lalan Bind to the police as per which the same arms were procured from him, which is not admissible in the eye of law. There is no other material which may connect the petitioner with the alleged offence. He also submits that the petitioner has similar criminal antecedents, but he is already on bail in all cases except one i.e. Ara Town P.S. Case No. 701 of 2024.

5. He further submits that the petitioner has been languishing in jail since 19.06.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in six other cases.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State and learned



counsel for the Informant vehemently oppose the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Ara Town P.S. Case No. 254 of 2025 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of



the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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