

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78289 of 2025

Arising Out of PS. Case No.-701 Year-2024 Thana- ARA NAGAR District- Bhojpur

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Pankaj Kumar @ Pankaj Yadav @ Pankaj Kumar Yadav S/o Late Santosh Yadav @ Santoshi Yadav R/O- Bhaluhipur. P.S.- 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 Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 109 and 61(2) of B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution is that on 24.10.2024 at about 10:15 AM while the informant was proceeding towards the shop of one Appu Singh on his *scooty* and had reached near Birganj Barrier, three miscreants riding on a bike having covered their face fired upon the informant resulting gun shot injury. As the informant fell down from his *scooty* and attempted to flee then all the miscreants allegedly fired at him causing further firearm injuries.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the FIR is against unknown miscreants and in the last part of the FIR, it is alleged that at some distance, Md. Shahnawaz Ahmad @ Jali Guddu, Md. Aasif, Md. Alamgir and Md. Shahnawaz were doing *raiki*. Learned counsel for the petitioner has submitted that petitioner was apprehended in Ara Town P.S. Case No. 247 of 2025 and in that case, he has given his confessional statement and in his confessional statement, he has stated that he has arranged the killers. Learned counsel has further submitted that save and except the confessional statement of the petitioner, there is nothing against him. He has also submitted that Md. Shahnawaz Ahmad, Md. Alamgir, Md. Tanwir Akhtar and Ashif Mohammad have been granted anticipatory bail by learned co-ordinate Bench of this Court vide order dated 10.02.2025 passed in Cr. Misc. No. 87240 of 2024. It has further been submitted that there is no any other legal material against the petitioner except the criminal antecedent of the petitioner. He is having criminal antecedent of seven cases. Moreover, he is languishing in judicial custody since 07.07.2025.



5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ara Town P.S. Case No. 701 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara **with condition that the petitioner shall cooperate in trial and shall remain physically present on each and every fixed date by the trial court till the conclusion of the trial.**

(Ashok Kumar Pandey, J)

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