

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88990 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Pankaj Kumar @ Pankaj Yadav Son Of Upendra Yadav Resident Of Village -
Badi Gospur Khen, Tarni Asthan, P.S- Suryagraha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Amit Anand
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-05-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner seeking bail in connection with Suryagarha P.S. Case No. 304 of 2024 registered for the offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 329(3), 103(1) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. Earlier the bail application of the petitioner was rejected on 30.04.2025 in Cr. Misc. No. 24559 of 2025, which reads as follows:-

Heard the learned counsel for the petitioner
and learned APP for the State.

2. The petitioners seek regular bail in connection with Surajgarha P.S. Case No. 304 of 2024 registered for the offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 329(3), 103(i) and



352 of the Bharatiya Nyaya Sanhita, 2023.

3. Altogether 14 persons are named in the FIR. The allegation against the petitioner no. 01 namely Pankaj Yadav @ Pankaj Kumar is that he has assaulted the victim with a khanti. So far as petitioner no. 02 is concerned, there is no specific allegation of assault against him. There is general and omnibus allegation against the petitioner no. 02.

4. The learned counsel for the petitioners has submitted that the petitioners are in custody since 03.11.2024 and claim clean antecedent.

5. Learned counsel for the informant has vehemently opposed the prayer of the petitioners.

6. Considering the specific allegation of assault against the petitioner no. 01 namely Pankaj Kumar @ Pankaj Kumar, his prayer for regular bail is hereby rejected.

7. So far as petitioner no. 02 namely Tinku Kumar @ Tipu Kumar is concerned, considering the fact that there is general and omnibus allegation against him, his prayer for regular bail is allowed.

8. Accordingly, let the petitioner no. 02, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai/concerned Court below in connection with Surajgarha P.S. Case No. 304 of 2024.

9. This application is partly allowed.

4. The petitioner is the assailant of the deceased. He is in custody since 03.11.2024.

5. From the Trial Court report, it appears that the cognizance has been taken on 23.02.2026 and the case is pending for commitment.

6. Considering the nature and the gravity of the offence, I am not inclined to grant regular bail to the petitioner. Accordingly, this application for regular bail stands rejected.



7. The Principal District & Sessions Judge, Lakhisarai, is directed to ensure that the case is committed to the Court of Sessions at the earliest, charges are framed and the trial is commenced as the petitioner has been in custody since 03.11.2024.

8. Let a copy of this order be communicated to the Principal District & Sessions Judge, Lakhisarai through FAX or e-mail for immediate compliance.

(Sandeep Kumar, J)

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