

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35402 of 2020

Arising Out of PS. Case No.-292 Year-2019 Thana- MAHARAJGANJ District- Siwan

Sumit Singh @ Sumit Shaurav, son of Sri Om Prakash Singh, Resident of
Village- Sihauta, P.O. and P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-05-2021 Heard Mr. Arun Kumar Arun, learned counsel for

the petitioner and Mr. Mritunjay Kumar Nirala, learned APP

for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Maharajganj P.S. Case No. 292 of
2019, dated 06.11.2019, instituted for the offences under
Sections 302 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The petitioner is not named in the F.I.R. Some
miscreants are stated to have resorted to firing, which led to
the death of the brother of the informant. No suspicion was
also raised at the time of lodging of the F.I.R. However,



later, on the statement of the spy and on the basis of CCTV footage, the name of the petitioner transpired. In the CCTV footage, the firing is seen to have been resorted to by one Annu Pandey @ Anubhav Pandey @ Annu Kumar Pandey and a fat person was standing besides aforesaid Annu Pandey. The petitioner is said to have been identified as that fat person in the CCTV footage.

The learned counsel for the petitioner, therefore, submits that the identification of the petitioner is only on the basis of a vague image in the CCTV footage and on the statement of the spy is not good enough evidence to connect him with the offence.

The petitioner does not have criminal antecedents and according to the learned counsel for the petitioner, his implication in the present case is only on the basis of suspicion.

It has further been submitted that the petitioner does not have any connection with aforesaid Annu Pandey and he does not have any animus against the deceased as well.



Considering the aforesaid submissions, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, 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 the learned Additional Chief Judicial Magistrate-V, Siwan in connection with Maharajganj P.S. Case No. 292 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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