

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30728 of 2021

Arising Out of PS. Case No.-212 Year-2016 Thana- SITAMARHI District- Sitamarhi

Suman Kumar Mishra S/O Late Mahendra Mishra R/O Village- Kiran Chawk,
Near Lakhandei Bridge, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhubala Verma, Advocate.
For the Opposite Party : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 08-03-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner apprehends his arrest in connection
with Sitamarhi P. S. Case No. 212 of 2016 registered for the
offences punishable under Section 302 of the Indian Penal Code
and Section 27 of the Arms Act.

As per the prosecution case, one Murari Singh is
said to be the assailant of the deceased and Suman Kumar
Mishra, the petitioner, is said to have invited Murari Singh for
committing the crime.

Learned counsel for the petitioner submits that



during the investigation it has come in the statement of different witnesses that the deceased received a firearm injury accidentally and he was not killed by Murari Singh intentionally.

Learned counsel for the State has opposed the prayer for anticipatory bail application of the petitioner.

Considering the submissions of the parties and the evidence collected during investigation which suggests that the deceased died in accidental firing, this anticipatory bail application is allowed.

Accordingly, let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P. S. Case No. 212 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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