

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6680 of 2023**

Arising Out of PS. Case No.-194 Year-2020 Thana- SINGHWARA District- Darbhanga

Sumit Kumar Mishra @ Sumit Mishra S/O Mr. Chandrika Mishra R/V-
Sanahpur, P.S.- Singhwara, District- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 02-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 399, 402, 120(B), 307 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that petitioner along with other co-accused persons were planning for commission of offence. In the meantime, some dispute arose between them and petitioner fired upon Navin Mishra due to which he sustained gun shot



injury.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no independent eye witness of the alleged offence. Nothing incriminating has been found at the place of occurrence ie. neither any blood nor any fired cartridge. During investigation, the statement of injured, namely, Naveen Mishra is not recorded by the I.O. Neither the Injury report is mentioned in the case diary nor annexed with it. Vide paragraph 103 of case diary the Investigating Officer has mentioned that no injury report is available. Without recording the statement of Injured and without injury report, charge-sheet has been submitted, which is evident from para 125 of Case Diary. Moreover, the petitioner is languishing in judicial custody since 10.08.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Singhwara P.S. Case No. 194 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

