

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81228 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- DARAUNDA District- Siwan

Shivam Kumar Singh, Son of Govind Singh @ Yogendra Singh, Resident of
village- Sawan Bigrah, P.S.- Daraunda, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2024 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Daraunda P.S. Case No. 315 of 2024, registered for the
offences punishable under Sections 109, 3(5) of the Bharatiya
Nyaya Sanhita and Section 27 of the Arms Act.

3. Based upon the written report the prosecution
alleges that on the fateful day, at about 4 pm, the informant
received an information that six criminal riding on two
motorcycles came to his house and made indiscriminate firing
on his door. On the aforesaid information when the petitioner
reached at his house, found bullet marks over his door.
Suspicion has been raised that earlier the petitioner alongwith



others have also attacked on the informant and this occurrence has also been done by them.

4. Learned Advocate appearing on behalf of the petitioner drawing the attention of this Court to the FIR contended that the entire case is based on suspicion only on the premise that earlier the informant was attacked by the petitioner and others, therefore, this occurrence also might have been done by the petitioner and other co-accused persons. Save and except suspicion, there is no material suggesting the complicity of the petitioner in the crime. In order to know the veracity and the genuineness of the case, the mother of the petitioner has also filed a petition before the police alongwith the pen drive of the CCTC footage of the place of occurrence but, the police has not been making any investigation in this line. The petitioner is a sports person and only because of the political rivalry, his name has been implicated in this case. The petitioner undertakes that he will fully co-operate in the investigation and the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner also bears two criminal antecedents.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case



is based upon suspicion and there is no material suggesting the involvement of the petitioner in the crime, 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 the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 315 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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