

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39221 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- BARHARA District- Bhojpur

Sumit Kumar Singh @ Sumit Singh, S/o Harendra Singh, Resident of Village- Bindgaon, PS- Barhara, District- Bhojpur Presently residing at 49 BN, ITBP Camp, Post- Basar, District- Lepa Rada, Arunachal Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Akanksha Malviya, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2025 Heard Ms. Akanksha Malviya, learned counsel for the petitioner and Mr. Arun Kumar Singh, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barhara P.S. Case No. 48 of 2025 instituted for the offence under Sections 191(2), 191(3), 190, 126(2), 103(1) of BNS and Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. The case of the prosecution is that the petitioner along with others being armed with weapon were present. It is specifically alleged that Jitendra Singh fired at Dharmendra Rai due to which he fell down and died. It is further alleged that at that time many villagers gathered and a double barrel gun was snatched from the petitioner and was handed over to the police.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He is only a member of mob. The main thrust of allegation is against Jitendra Singh who has made fire. It has also been submitted by learned counsel for the petitioner that petitioner is having one criminal antecedent as three cases were filed regarding same occurrence.

5. Learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. From perusal of the F.I.R. itself it is clear that only allegation against the petitioner is that he was there, there is no allegation of making fire against him.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barhara P.S. Case No. 48 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara,



subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Ashok Kumar Pandey, J)

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