

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40781 of 2025

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

Santosh Singh @ Santosh Kumar Singh S/O Brajendra Kumar Singh Resident
of Ward No-10, New Colony, Koilwar, P.S-Koilwar, District-Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jawed Gaffar Khan

For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 21-08-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Barhara P.S. Case No. 48 of 2025, registered for the offences
punishable under Sections 191(2), 191(3), 190, 126(2), 103(1) of the
BNSS and Sections 25(1-b)a, 26, 27/35 of the Arms Act.

3. The prosecution case, in brief, is that the informant was
returning from Bindagaon village by a cycle and reached near
Community Hall and then, the accused persons named in the FIR and
15-20 unknown persons came from behind on motorcycles and
accused Jitendra Singh fired on his brother Dharmendra, from his
pistol which hit in his head and he fell down. The villagers assembled
there and snatched double barrel gun from the hands of co-accused
Sumit Singh.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The allegation is general and omnibus. He is not the assailant, rather, there is allegation against co-accused Jitendra Singh that he fired at the head of the younger brother of the informant. The mob assembled and apprehended co-accused Sumit Kumar Singh @ Sumit Singh and snatched a double-barrel gun from his hands. The said Sumit Kumar Singh @ Sumit Singh has been granted anticipatory bail by a co-ordinate Bench of this Court and the case of the petitioner is on better footing. The petitioner is a person of clean antecedent.

5. On the other hand, learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur, Ara in connection with Barhara P.S. Case No. 48 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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