

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43666 of 2025

Arising Out of PS. Case No.-351 Year-2024 Thana- SHAMBHUGANJ District- Banka

Sumit Kumar Singh S/o Manohar Singh Resident of Village - Gogachak, P.S.
- Tarapur, District – Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gun Sagar Mahto, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Shambhuganj P.S. Case no. 351 of 2024, registered under sections 109 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, while the informant was seated near his house along with his friends, it is stated that co-accused Rahul Kumar fired upon him with a country made pistol but the bullet missed the informant. It is further stated that the said co-accused Rahul Kumar managed to escape.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Referring to the contents of the petition and especially the order of the learned trial Court, it



is submitted that the name of the petitioner transpired in the confessional statement of said co-accused Rahul Kumar who is said to have made a statement to the effect that the arms and ammunitions which he used in the occurrence was supplied by the petitioner. The said Rahul Kumar has been enlarged on bail by the learned Court below itself as stated in paragraph no.7 of the petition. The petitioner is accused in only one other case, lodged in the year 2008.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the contents of the order of the learned trial Court, the name of the petitioner transpiring in the confessional statement of co-accused Rahul Kumar and the allegation of firing being solely against the FIR named accused Rahul Kumar who has himself been enlarged on bail, in the facts of the case, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Shambhuganj P.S. Case no. 351 of 2024 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 Chief
Judicial Magistrate, Banka.

(Partha Sarthy, J)

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