

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2681 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- DARAUNDA District- Siwan

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Ankit Kumar Singh @ Ankit Singh S/O Govind Singh @ Yogendra Singh
Resident of village-Sawan Bigrah, P.S.- Daraunda, District - Siwan.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sita Devi W/O Brajesh Ram R/O Village-Itahwa, Distt-Basarihar, U.P. at present, D/O Shyam Bihar Ram, Resident of village-Sawan Bigrah Tole, Ram Garhai,P.S.- Daraunda, District - Siwan,Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Dewanand Tiwari, Advocate
For the Respondent/s : Ms. Usha Kumari 1, SPP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 25-09-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 29.05.2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan whereby the prayer for bail of the appellant in connection with Daraunda PS Case No. 30 of 2024 instituted under Sections 341, 323, 307, 427 & 120B of the Indian Penal Code (for short 'IPC'), Sections 3(i)(r)(s) & 3(2)(va) of SC/ST Act and Section 27 of the Arms



Act was rejected.

3. Prosecution case, in a nutshell, is that on February 12, 2024, informant complained against several individuals, including Dhan Kumar Singh, over a dispute about the sale of hay. The conflict escalated, with the accused allegedly setting fire to hay belonging to informant's sister-in-law, Sangeeta Devi. When Sangeeta Devi reported this to the police, the accused reportedly returned to informant's home, where they allegedly opened fire, injuring Sita Devi, her son, and a village leader, Jai Shankar Pandit. The accused fled from the scene after villagers intervened..

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. As per allegation alleged against the appellant, he allegedly fired upon the leg of the son of the informant, but doctor has not found any fire arm injury on leg, rather fire arms injury was found on stomach, and the appellant is not the author of the same, which fact is deposed by the injured himself in his statement recorded by the police. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence



under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 03.03.2025 and has eight criminal antecedents.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 29.05.2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan is hereby set aside.

7. Let the appellant be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda PS Case No. 30 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the appellant.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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