

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72674 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Marnga District- Purnia

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1. Sittu Kumar Singh @ Sittu Singh S/o Ram Pujan Singh R/o Village- Sarsi, P.S.- Sarsi, District- Purnea
 2. Pukesh Kumar Singh @ Punkesh Singh S/o Shankar Singh R/o Village- Sarsi, P.S.- Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Akhauri Kamal Kishore Sahay, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-11-2025 Heard learned senior counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. At the outset, learned senior counsel appearing on behalf of the petitioners seeks permission to withdraw this anticipatory bail application on behalf of Petitioner No. 2, namely Pukesh Kumar Singh, as during pendency of this case, Petitioner No. 2 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application on behalf of Petitioner No. 2 is dismissed as withdrawn.

5. Petitioner No. 1 apprehends his arrest in a case



registered for the offence punishable under Sections 191(2), 191(3), 190, 111 and 109 of the B.N.S. and Section 27 of the Arms Act.

6. As per prosecution case, informant alleges that his son, namely Sakim, along with one Haider, deal in sale and purchase of land. Further they got executed an agreement for sale in their favour with regard to 2 acres of land. It is alleged that on 17.02.2025, son of informant and Haider had gone on the land in question when informant got an information that about 40-50 people have gathered near the land and accordingly, he came to the place of occurrence and heard gunshot and further on hearing gunshot, all 40-50 persons started fleeing and informant saw that his son was shot in the mouth and Haider was also injured. It is next alleged that the informant identified 18 named accused persons who were fleeing from the place of occurrence, including the petitioner. Thereafter the injured were taken to hospital for treatment.

7. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that informant is not an eyewitness to the occurrence. It is also submitted that since petitioner was also present at the



place of occurrence along with other persons as such on hearing gunshot, he started fleeing. It is submitted that neither the petitioner has any interest in the land nor the petitioner knew the son of the informant but then since he is a resident of a nearby village, on seeing that people have gathered at the place of occurrence as such out of inquisitiveness, he also came to the place of occurrence when the occurrence is alleged to have taken place. It is not the case of the informant that this petitioner caused any injury to the injured persons. It is lastly submitted that similarly situated co-accused person, namely Amarnath Kumar Singh, has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 04.09.2025 passed in Cr. Misc. No. 58274 of 2025.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

9. Considering the facts and circumstances of the case, general and omnibus nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Maranga P.S. Case No. 52 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

11. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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