

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84096 of 2025

Arising Out of PS. Case No.-393 Year-2023 Thana- ATHMALGOLA District- Patna

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Sumer Singh @ Somar Singh @ Surendra Singh S/o Shivnarayan Singh
Resident of Village - Chakdaulat, P.S - Bakhtiyarpur, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr. Gautam Kumar Yadav, Advocate
For the Opposite Party/s :	Mr. Rajeev Ranjan No.II, A.P.P.
For the Informant :	Mr. Ranjan Kumar Dubey, Advocate
:	Mr. Kumar Gaurav, Advocate
:	Mr. Shashank Kashyap, Advocate
:	Ms. Sheshadri Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-03-2026 Heard Mr. Gautam Kumar Yadav, learned counsel

for the petitioner, Mr. Ranjan Kumar Dubey, learned counsel for

the informant and Mr. Rajeev Ranjan No.II, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.05.2025 in connection with Athamalgola P.S. Case No. 393
of 2023 for the offences punishable under Sections 147, 148,
149, 341, 307, 326 of IPC and Section 27 of Arms Act.

3. The prosecution story, in brief, is that the informant
Umesh Yadav has alleged in the written report that on
02.12.2023 at about 2:00 PM, while he was returning from Barh
Court towards his village Chakdaulat along with his brother



Bhagwat Singh and nephew Arvind Kumar (riding on motorcycles), near Rupas Tola, Dindayal Singh on NH-31, three motorcycles came chasing from behind, on which several named accused persons were riding. It has been alleged that accused Kapuri Singh, Chintu Kumar, Ramdhyan Singh, Sumer Singh (the petitioner herein) and others opened indiscriminate firing, in which Bhagwat Singh received firearm injuries and was taken to Barh Sub-Divisional Hospital and thereafter referred to PMCH Patna and later to Medanta Hospital for better treatment. The cause of occurrence, as per FIR, is a land dispute between both parties.

4. Learned counsel for the petitioner submits that it appears from the FIR that due to land dispute, the present occurrence in question has taken place and all the accused persons are named in the FIR. It is next submitted that there is specific allegation against the petitioner that he has fired upon Bhagwat Singh in his hand and Bhagwat Singh has received four fire arm injuries. Learned counsel for the petitioner submits that although there is specific allegation against the petitioner in the FIR but as per FIR, the petitioner has fired upon the hand of victim (injured person). It is further submitted that co-accused persons have fired upon the neck and backside of the victim



namely, Bhagwat Singh. It is also submitted that police after investigation has submitted charge-sheet and the petitioner is in custody since 19.05.2025.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that there is direct and specific allegation against the petitioner that he has fired upon the victim namely, Bhagwat Singh and he has antecedent of two cases other than the present case but fairly submit that in one of the case, the petitioner has been acquitted and the other case is pending consideration.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of District and Additional Sessions Judge-V, Barh in connection with Athamalgola P.S. Case No. 393 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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