

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4875 of 2025

Arising Out of PS. Case No.-462 Year-2024 Thana- MAHARAJGANJ District- Siwan

Ankit Kumar Singh @ Ankit Singh S/O Govind Singh @ Yogendra Singh
R/O Village- Sawan Bigrah, P.S- Daraunda, Distt.- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shushil Kumar Paswan S/O Bharat Manjhi R/O Sherpur, P.S- Daraunda,
Dist.- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dewanand Tiwari, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 21-04-2026 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 16.09.2025 passed by learned 1st Additional Sessions Court-cum-Special Judge, Siwan whereby the prayer for bail of the appellant in connection with Maharajganj P.S. Case No. 462 of 2024 under Sections 126(2), 103(1), 61(2) and 3(5) of the B.N.S., Section 27 of the Arms Act and Sections 3(1)(r)(s) and 3(2) (va) of SC/ST Act was rejected. Learned counsel for the appellant has submitted that earlier the appeal of this appellant was rejected by learned co-ordinate Bench of this Court vide order dated 07.08.2025 passed in Cr. Appeal (SJ) No. 1595 of 2025. It has



further been submitted that at that moment, supplementary case diary was not present. It has further been submitted that from perusal of the supplementary case diary it will transpire that the CCTV Footage from one Jagggga Mundi, resident of Ludhiana was collected by the I.O. and from CCTV Footage, it is clear that on 04.10.2025 he was seen at Ludhiana.

3. The case of the respondent, in short, is that when the informant's father was going to the market, the informant also followed him. It is further alleged that the appellant and other co-accused persons fired on him indiscriminately due to that the father of the informant died on the spot. It is further alleged that the appellant in connivance with other co-accused persons has killed his father under conspiracy.

4. It is submitted by learned counsel for the appellant that though the respondent has posed himself as eye witness, he is not the eye witness as it is clear from para '35' of the supplementary case diary that CCTV Footage of Ludhiana goes to show that the on the date of the occurrence, the appellant was at Ludhiana. It has further been submitted that during course of investigation, the Supervising Authority has also found on the basis of the above CCTV Footage that the appellant was not at the place of the occurrence on the alleged date of the occurrence. The owner of the CCTV camera has given the CCTV Footage in a



pendrive. Learned counsel for the appellant has submitted that this letter may be treated as certificate under Section 65 of the Indian Evidence Act. It has further been submitted that this part of the investigation goes to show that the appellant was not present at the place of the occurrence. The appellant is languishing in judicial custody since 24.01.2025.

5. Learned Spl. P.P. for the State has vehemently opposed the appeal for bail and has submitted that the appellant is having criminal antecedent of eight cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 16.09.2025 passed in connection with Maharajganj P.S. Case No. 462 of 2024 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Maharajganj P.S. Case No. 462 of 2024 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Court-cum-Special Judge, Siwan.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

