

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41185 of 2016**

Arising Out of PS.Case No. -45 Year- 2016 Thana -DURAULI District- SIWAN

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Rajendra Singh, S/o Bhim Singh, resident of Village- Sagar Rai Ka Tola,  
P.S Darauli, District Siwan.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Panchanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

ORAL ORDER

2 06-10-2016

Heard both sides.

The Petitioner apprehends his arrest in Darauli P.S.

Case No.45 of 2016 under Section 302/34 of the Indian Penal  
Code and 27 of the Arms Act.

Ram Awatar Singh, the informant alleged that due to  
land dispute, his co-sharer Rabindra Singh killed his younger  
brother Ram Bilas Singh on 3.11.2015 for which his brother  
Radha Krishna Singh filed Darauli P.S. Case No.185 of 2015  
against Rabindra Singh and others. Rabindra Singh was  
pressurising his brother Radha Krishna Singh to compromise the  
case and also threatening him to kill, if he fails to compromise the  
case. It is further submitted that on 18.4.2016 at 7.30 p.m.,  
Rabindra Singh killed his brother Radha Krishna Singh by firing

in his head. Wife of Rabindra Singh, wife of Surendra Singh and wife of Ghanshyam Singh are involved in the murder of Radha Krishna Singh.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Name of the petitioner figured in the case not in the further statement of the informant but the informant made third statement in paragraph-39 of the case diary and disclosed that the petitioner was also pressurising his brother to compromise the case. It is submitted that the petitioner earlier filed Darauli P.S. Case No.185 of 2015 against Radha Krishan Singh and others and that is why petitioner has falsely been implicated in the case. It appears that the informant did not name the petitioner in his first version on the basis of which F.I.R. was registered. The informant did not name the petitioner in his subsequent statement but the informant made third statement in paragraph-39 of the case diary and disclosed the name of the petitioner.

Considering the facts aforesaid, petitioner above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on anticipatory bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like

amount each to the satisfaction of learned C.J.M., Siwan in connection with Darauli P.S. Case No.45 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Prabhat Kumar Jha, J)**

N.H./-

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