

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53798 of 2019

Arising Out of PS. Case No.-639 Year-2017 Thana- SAHARSA District- Saharsa

Prof. Binod Kumar Singh @ Prof. Binod Singh @ Binod Kumar Singh, Son
of Late Madan Singh, Resident of New Colony, Ward No. 8, P.S.- Saharsa,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Saharsa P.S. Case No. 639 of 2017, registered under
Sections 302 and 120B/34 of the Indian Penal Code and Section
27 of the Arms Act.

The accusation is that on 24.06.2017 at about 2.30
P.M. the informant, Prince Ranjan was sitting at first floor of
house and his father Mahendra Prasad Singh was in ground
floor. On hearing the sound of distraction, informant get down
from first floor then and saw that Gaurav Kumar, Niraj Kumar
and Bobby Kumar having postal in their hand fired to kill his
father. On seeing the informant, Bhanu Rajak and Pawan Rajak



chased him but he move towards the first floor and fired to lock the gate. In the meantime, Gaurav Kumar and Pawan Rajak fired at his father. Thereafter, mother of Gaurav Kumar along with 5-6 unknown came there and tried to unlock the gate of his house. On raising alarm, police came there but the accused persons succeeded to flee away. Informant claimed that the accused persons named in the F.I.R. including the petitioner previously quarreled with him due to that reason informant lodged the case against them but petitioner, Hiro Rajak and others used to give pressure to the informant to withdraw the case due to that reason they commit murder of his father.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. but no specific overt act has been attributed against him with regard to murder of father of the informant. Further submission is that similarly situated co-accused, Hero Rajak, has already been allowed privilege of pre-arrest bail by a Bench of this Court vide order dated 12.10.2017 passed in Criminal Misc. No. 47225 of 2017.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Saharsa, in connection with Saharsa P.S. Case No. 639 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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