

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36520 of 2021**

Arising Out of PS. Case No.-47 Year-2021 Thana- BHAGWANPUR District- Vaishali

Binu Kumar Singh @ Binu Kumar Son of Bhrigunath Singh Resident of  
Village - Bithauli, P.S. - Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                        |
|--------------------------|---|----------------------------------------|
| For the Petitioner/s     | : | Mr. Yogesh Chandra Verma, Sr. Advocate |
|                          | : | Ms. Priyanka Singh, Advocate           |
| For the Informant        | : | Ms. Shyama Rani, Advocate              |
| For the Opposite Party/s | : | Mr. APP                                |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      09-12-2021                      Heard Shri Yogesh Chandra Verma, learned senior  
counsel for the petitioner, Ms. Shayama Rani, learned counsel  
for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Bhagwanpur P.S. Case No. 47 of 2021 dated 18.02.2021  
instituted for the offences under Sections 302, 120B and 34 of  
the Indian Penal Code read with Section 27 of the Arms Act.

Learned senior counsel for the petitioner submits that  
the petitioner is in custody since 08.03.2021, is a person with  
clean antecedent and charge-sheet has been submitted in the  
case.

Learned senior counsel for the petitioner submits that  
the petitioner is not the assailant rather in the F.I.R. it is alleged



that it was Rajnish Kumar Singh who fired killing Gopal Singh, friend of informant near Chatara Bridge at village Imadpur who was returning to home with him on a motorcycle after purchasing a bed.

Learned senior counsel for the petitioner submits that the deceased was a notorious criminal and perhaps he might have been killed by someone else and the petitioner has been falsely implicated in the present case without assigning any overt act. Learned senior counsel further submits that similarly situated co-accused Amit Kumar has been granted bail vide order dated 08.12.2021 in Cr. Misc. No. 37164 of 2021.

Learned counsel for the informant opposes the prayer for regular bail of the petitioner and submits that this petitioner was also present at the place of occurrence and it was a conspiracy hatched against the deceased and Rajnish Kumar Singh fired killing him but the learned counsel for the informant is not able to meet the submission of learned senior counsel for the petitioner that the petitioner is not alleged to be the main assailant.

Learned A.P.P. for the State also vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody



since 08.03.2021, charge-sheet has been submitted in the case, the petitioner is a person with clean antecedent and the similarly situated co-accused has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 47 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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