

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35869 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- KHAGAUL District- Patna

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BINOD KUMAR @ BINOD KUMAR SINGH @ VINOD KUMAR @
VINOD KUMAR SINGH S/O Ram Lagan Singh @ Ram Lakhan Singh R/O
Village Mahato Gali Jamaluddin Chak, P.S.- Khagaul, Dist. Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38744 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- KHAGAUL District- Patna

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BABALLU @ ANAND KUMAR @ BABLU @ ANAND Son of Late
Akhileshwar Prasad Resident of Village - Jamalludin Chak, P.S. - Khagaul,
District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39126 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- KHAGAUL District- Patna

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BABLU KUSHWAHA Son of Ram Ekbal Singh Resident of village -
Navratanpur (Ram Janki Nagar), Police Station - Khagaul, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 35869 of 2021)

For the Petitioner/s : Mr. Dayanand Singh
Mr. Nagdeo Choubey

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha
(In CRIMINAL MISCELLANEOUS No. 38744 of 2021)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Patanjali Rishi, Adv.
Mr. Rajesh Kumar, Adv.
Mr. L.K. Sharma, Adv.



For the Opposite Party/s : Mr.Uday Prasad
Mr. Bal Mukund Prasad Sinha
(In CRIMINAL MISCELLANEOUS No. 39126 of 2021)
For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Patanjali Rishi, Adv.
Mr.Rajesh Kumar
Mr. L.K. Sharma, Adv.
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-03-2022 Heard Mr. Ramakant Sharma, learned senior counsel

for the petitioners and Mr. Bal Mukund Prasad Sinha, learned

A.P.P. for the State.

Since all the aforesaid three bail applications arise out
of the same Khagaul PS Case No. 237 of 2020 as such all the
three applications were taken up together and are being disposed
of by this common order.

Petitioners seek regular bail in connection with
Khagaul PS Case No. 237 of 2020 registered under Sections
302 , 307 , 120 B / 34 of the IPC. and Section 27 of the Arms
Act.

As per the First Information Report two persons
wearing mask on their face arrived at the informant's house in
the evening and called his father and shot him dead. While
fleeing away all the accused persons also fired upon the brother
of the informant due to which he received fire arm injury. A
suspicion has been raised in the First Information Report that
father of the informant had a land dispute with the petitioners



and other co-accused, who had threatened him of dire consequences.

Learned senior counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to previous land dispute and except suspicion no material has come against the petitioners during the course of investigation. He further submits that co-accused / Kunal Singh @ Kunal Kumar Singh having similar allegation has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 27181 of 2021. The petitioners are in custody since 28/12/2020 (Bablu Kushwaha), 30 / 12 / 2020 (Baballu @ Anand Kumar @ Bablu @ Anand and Binod Kumar @ Binod Kumar Singh @ Vinod Kumar @ Vinod Kumar Singh) and charge sheet has already been submitted.

On the other hand, learned counsel for the State referring to the case diary submits that during the course of investigation it has come to light that a contract killer had arrived at the house of the informant and killed his father. The name of the contract killer is Rakesh Kumar @ Munchun Yadav @ Munchhun Yadav who was in custody from before and now he has been remanded in the present case.

Regard being had to the submissions made by the



parties, taking into consideration the material on record and the fact that only suspicion has been raised against the petitioners and the co-accused has been granted anticipatory bail, as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners Binod Kumar @ Binod Kumar Singh @ Vinod Kumar @ Vinod Kumar Singh (Cr. Misc. No. 35869 / 2021), Baballu @ Anand Kumar @ Bablu @ Anand (Cr. Misc. No. 38744 / 2021) and Bablu Kushwaha (Cr. Misc. No. 39126 / 2021) be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM -cum- Sub Judge-V, Danapur (Cr. Misc. No. 35869 / 2021), A.C.J.M.-V, Danapur (Patna) (Cr. Misc. No. 38744 / 2021) & Additional Chief Judicial Magistrate -V, Danapur, District – Patna (Cr. Misc. No. 39126 / 2021) in connection with Khagaul PS Case No. 237 of 2020.

(Anil Kumar Sinha, J)

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