

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23766 of 2023**

Arising Out of PS. Case No.-145 Year-2019 Thana- PHULWARIA District- Begusarai

PANKAJ SINGH @ RIJHAN SINGH S/O- Late Nageshwar Singh @  
nageshwar singh @ late nago singh @ nago singh Village- Madhurapur,  
Purbari Tola ward no-9,Ps- Teghra Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      27-06-2023                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered  
for the offence punishable under sections 302/34/120B of the  
Indian Penal Code.

As per the prosecution case, all the FIR named  
accused persons including the petitioner assaulted and killed son  
of the informant.

Learned counsel for the petitioner submits that from  
perusal of the First Information Report it is evident that it was  
co-accused Gauri Shankar Singh who fired from the pistol on  
the son of the informant as a result of which he sustained fire  
arms injury over his neck and died on the spot. Police, after  
investigation, had not sent up the petitioner. However, on  
consideration of original case diary and the supplementary case



diary, court below took cognizance of the offence also against the petitioner. No specific overt act has been alleged against the petitioner and at best he can be said to be a member of the mob. It is also the case of the petitioner that the deceased was a man of criminal antecedent he he might have been killed by his enemies. Similarly situated co-accused Pappu Singh has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide paragraph 10 of the bail petition.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Teghra, District Beguserai in Phulwaria Police Station Case No. 145 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Shashi

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