

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36793 of 2025

Arising Out of PS. Case No.-1234 Year-2023 Thana- MADHEPURA District- Madhepura

Binod Kumar Sah @ Binod Kumar S/O Baldeo Sah R/O Village- Kataiya,
PS- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh Ms. Kumari Rashmi Mr. Deepak Kumar Singh
For the Opposite Party/s:		Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-07-2025 Heard learned counsels for the parties.

2. The petitioner is seeking for bail in connection with Madhepura (Bharrahi O.P.) P.S. Case No.1234 of 2023, registered for the offences under Sections 302, 120B of the Indian Penal Code and 27 of the Arms Act and he is in custody since 22.12.2023.

3. In the FIR, the informant alleges that he was working in a private firm at Hyderabad and on 18.12.2023, he received information on his phone that his mother, father and brother have been killed, accordingly, he reached his village on 20.12.2023 and saw the dead body of his father, mother and brother and thereafter, postmortem of the dead bodies was done. The informant alleges he inquired about the occurrence and



based on suspicion implicated 24 persons alleging that they being relatives and on account of dispute relating to property have committed the murder of his family members. He further alleges that on 17.12.2023, he was threatened by Bablu Sah that his family would be killed along with him by the help of other FIR named accused persons.

4. At the very outset, learned counsel for the petitioner has submitted that though the petitioner is named in the FIR but the so called eye witness Deepmala has not assigned any role upon the petitioner. As per the deposition of the PW-1, Deepmala, the assailants are, namely, Amrendra, Niranjana, Sarovar, Vikas and Babloo. He has further submitted that though the informant is a relative of the deceased but he is a resident of Hyderabad and Deepmala is the eye witness.

5. Considering the materials available on record and the fact that the petitioner has not been named by the eye-witness, namely, Deepmala, as assailants of any of the deceased, this application is allowed.

6. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. II, Madhepura/concerned Court below, in con-



nection with Madhepura (Bharrahi O.P.) P.S. Case No.1234 of 2023.

7. It is made clear that this Court has not passed a detailed order because it will affect the trial of the case of the prosecution.

8. The petitioners will cooperate in the trial personally or through their counsel.

(Sandeep Kumar, J)

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