

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30090 of 2020**

Arising Out of PS. Case No.-45 Year-2020 Thana- BANIAPUR District- Saran

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1. PARICHHAN SAH Son of Jitan Sah Residence of Village - Anandpur, P.S.- Baniyapur, Distt.- Saran at Chapra
  2. Vijay Sah Son of Parichhan Sah Residence of Village - Anandpur, P.S.- Baniyapur, Distt.- Saran at Chapra
  3. Bashisth Sah Son of Govind Sah Residence of Village - Ramdhanora, P.S.- Baniyapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      12-01-2021                      Heard Mr. Vijay Kumar, learned counsel for the petitioners and Mr. Akshay Lal Pandit, learned Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with Baniyapur P.S. Case No. 45 of 2020 registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code 1860.

The allegation as per the First Information Report is that the son of the informant has been killed by his wife, father-in-law, brother-in-law (Sarhu) etc.

Learned counsel for the petitioners submits that



petitioner No. 1 is father-in-law, petitioner No. 2 is brother-in-law and petitioner No. 3 is Sarhu of the deceased. Learned counsel further submits that during course of investigation, no material has come against the petitioners. However, in paragraph-56 of the case diary, the Dy. Superintendent of Police in his supervision note has stated that the wife of the deceased namely, Sunita Devi was having illicit relationship with Lal Bihari Sah and Sunita Devi along with Lal Bihari sah have killed the deceased. Learned counsel also submits that charge sheet has already been submitted against the petitioners finding the allegation true against them. The petitioners are said to be in custody since 18.2.2020 and 24.2.2020 respectively.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 18/24.2.2020 and there is no apprehension that the petitioners will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at



Chapra, in connection with Baniyapur P.S. Case No. 45 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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