

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31765 of 2020**

Arising Out of PS. Case No.-736 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

RAM ISHWAR SAH @ RAMESHWAR PRASAD GUPTA S/o Late Sant Lal
Sah Resident of Village-Gosspur Ijra, P.S.-Sadar Hajipur, District-Vaishali.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Sheo Kumar Prasad, Advocate.
For the State	:	Dr. Indihar Kumari, A.P.P.
For the Informant	:	Mr. Vinod Kumar, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 05-02-2021 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Sadar Hajipur P.S. Case No.736 of 2019 registered under Sections 302 and 120(B)/34 of the Indian Penal Code.

The accusation is that the informant Premshila Devi had gone to Delhi, while her daughter Sonali Bindi was at her house in village-Gosspur Izra, P.S. Sadar Hajipur, District-Vaishali. In the evening of 06.11.2019, Sonali Bindi, the daughter of the informant, informed the informant on phone that 11 persons, named in the F.I.R., including the petitioner are making plan to kill her and throw her dead body in the Gangage



river, then the informant asked her daughter to live in the room without any fear. While the informant again tried to talk to her daughter but she could not be able to talk to her daughter till 07.11.2019 as her mobile phone was switched off. Thereafter, the informant proceeded from Delhi for Hajipur in the evening of 07.11.2019 and reached on 08.11.2019 at Hajipur, then Rahul Kumar, the nephew of the informant, informed her that her daughter Sonali Bindi has been killed and her dead body is at Sadar Hospital, Hajipur. The informant claimed that the F.I.R. named accused including the petitioner only to grab the land committed the murder of her daughter Sonali Bindi.

Learned counsel appearing on behalf of the petitioner submits that on mere suspicion, due to land dispute, the petitioner and others have falsely been implicated in this case. Further submission is that it would appear from the case diary that no one has stated about the facts as narrated in the F.I.R. by the informant. In the post-mortem report of the deceased Sonali Bindi, the daughter of the informant, the cause of her death has been shown as asphyxia due to hanging. Learned counsel for the petitioner submitted at the Bar that while the petitioner is accused in two other cases, as detailed in paragraph-3 to this application, but in those cases, the petitioner is on bail. In the



present case, the petitioner is in custody since 13.06.2020 and, on investigation, the police has already submitted the charge-sheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Sadar Hajipur P.S. Case No.736 of 2019.

(Rajendra Kumar Mishra, J)

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