

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35058 of 2020

Arising Out of PS. Case No.-789 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Vishwajeet Kumar son of Thakur Bachcha Prasad Resident of Village-
Laxmipur Maudah, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Adv
	:	Mrs. Vaishnavi Singh, Adv
For the Opposite Party/s	:	Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-02-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/201 of the Indian Penal Code.

According to first information report lodged by Mr. Jag Narayan Rai, one Vishwajeet Kumar alongwith his wife Chandani Kumari contacted him for letting on rent a room in his house. The rent was agreed at Rs.2,000/- per month. The said Vishwajeet Kumar came alongwith his house hold articles and started residing in the said room. On Monday, Vishwajeet Kumar was going back after locking his room and stated to Jag Narayan Rai that he was going to bring his remaining articles. On 27.11.2019 sensing odour from the room the police was called and lock was broken, dead body of Chandani Kumari was found there. In his statement before police, Jag Narayan Rai



stated that Vishwajeet Kumar was of village-Puraina Dadua, District-Vaishali. During investigation, Md. Abbas identified the dead body of Chandani as that of his daughter-Yasmin Pravin. He further revealed that Yasmin Pravin had left her house in the year 2017 and a report to that effect was lodged with the police.

Learned counsel for the petitioner submits that the petitioner is resident of a different village-Laxmipur Maudah, P.S.-Patepur, District-Vaishali. The petitioner is in custody since 29.04.2020. Investigation of the case is already complete but the petitioner was never put on T.I. Parade before the informant. Mr. Jag Narayan Rai to establish that in fact the petitioner was the person who had hired the room from Jag Narayan Rai. Therefore, only suspicion is there against the petitioner for the reason that Md. Abbas stated that his daughter was alongwith the petitioner who is resident of village-Laxmipur Maudah.

Learned counsel for the informant opposed the prayer for bail on the basis of material available in the case diary as well as on the mobile location of the petitioner nearby the place of occurrence.

In fact the mobile location of the petitioner was not near the place of occurrence rather at a different and distant place in the Vaishali district.



Considering the fact that only suspicion is there against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Hajipur Sadar Police Station Case No.789 of 2019 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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