

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.25819 of 2021**

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

JAI KISHUN SAH S/o Late Ritlal Sah R/O Vill - Gauspur Ijara, P.S. -  
Hajipur Sadar, Dist. - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Adv

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

3      24-01-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Hajipur  
Sadar 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-Gouspur 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 for the petitioner submits that the petitioner has falsely been implicated in the present case mainly on the basis of the suspicion and due to the land dispute. He further submits that in fact that the deceased has committed suicide by hanging herself. He further submits that it appears from the FIR that the allegation is general and omnibus against all the accused persons and there is no specific allegation attributed against the petitioner. He further submits that co-accused, namely, Jitendra Sah has been granted privilege of anticipatory bail vide order dated 25.01.2021 in Cr. Misc. No.28558 of 2020. He further submits that another co-accused, namely, Ram Ishwar Sah @ Rameshwar Prasad Gupta has been granted bail vide order dated 05.02.2021 in Cr. Misc. No.31765



of 2020 and co-accused, namely, Vijendra Sah @ Virendra Kumar has been granted bail vide order dated 17.03.2021 in Cr. Misc. No. 3652 of 2021 by different Coordinate Benches of this Hon'ble Court. Petitioner is in custody since 05.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts and period of custody, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.736 of 2019 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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