

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.390 of 2018

Arising Out of PS.Case No. -291 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

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1. Md. Mister Son of Late Maniruddin Resident of Village-Kesabpur, Police
Station-Azamnagar, District-katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier the bail
application of the petitioner was rejected vide order dated
12.10.2017, passed in Cr. Misc. No. 39930 of 2017.

Petitioner is languishing in judicial custody since
25.05.2017 in connection with Sessions Trial No. 325 of 2017,
arising out of Azamnagar P.S. Case No. 291 of 2016 for offences
punishable under Sections 302/201 of the Indian Penal Code.

The prosecution case, as lodged by the informant police
personnel, is that a dead body of an unknown female was found in
the paddy field with a sari tied on the neck and body decomposed.



It has been submitted by the learned counsel for the petitioner that he was not named in the First Information Report and it is only on the basis of suspicion that he has been made accused. He submits that there is no eye-witness to the alleged occurrence, charges have been framed and petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the deceased was identified to be the sautan of the petitioner's sister, earlier she was beaten by the petitioner and his sister and there is strong suspicion against the petitioner and his family members.

Considering the facts and circumstances and the materials on record as well as the undertaking of the petitioner, let petitioner, above named, be enlarged 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 Sessions Judge, Katihar, in connection with Sessions Trial No. 325 of 2017, arising out of Azamnagar P.S. Case No. 291 of 2016, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating his relationship with the petitioner.

- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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