

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9212 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- MATIYARIA District- West Champaran

TIPPU SINGH aged about 35 years Gender-Male Son of Late Ramjanam Singh Resident of Village – Ekderawa, PS Matiyaria, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-04-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 328/302 of the Indian Penal Code.

Informant in his fardbeyan has alleged that on 21.08.2018 at about 6:00 am, he was informed on mobile that his son was lying by the side of road in unconscious condition and has been admitted to Hospital and on getting said information he went to Bagaha Hospital where he found his son to be unconscious and he was referred to Bettiah Hospital, however, during treatment his son died. He has suspected that



his son has been intoxicated by some unknown persons of Nasha Khurani Gang.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Petitioner is not named in the FIR. There is delay of 42 days in instituting the FIR. His name has surfaced in this case during investigation and on restatement of Informant in which he suspected petitioner and his wife to be involved in killing of his son. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 13.03.2019 in Criminal Miscellaneous No. 15151 of 2019. Petitioner has got no criminal antecedent and is in custody since 29.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Matiyari P.S. Case No. 56 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

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