

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1148 of 2019

Arising Out of PS. Case No.-83 Year-2016 Thana- JAGDISHPUR District- Bhagalpur

Md. Miyazul, son of Md. Nazir resident of Village- Khiribandh, P.s.
Jagdishpur, district- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Jagdishpur P.S. Case No. 83 of 2016 instituted for the offence under Section(s) 302/354(B)/201 of the Indian Penal Code and Section 8 of POCSO Act.

It is alleged in the written report that daughter of the informant aged about 17 years had gone to watch program with villagers just near her house, but she did not return till the morning. Thereafter, on search, dead body of daughter of the informant was found lying in the orchard..

Learned counsel for petitioner has submitted that petitioner is not named in the written report. During investigation, it has come that this petitioner was also found



talking with the deceased. This fact has also been mentioned in the impugned order by learned District and Sessions Judge in para 32 of the case diary. Learned counsel for petitioner further submits that besides suspicion, there is no allegation of specific overt act against this petitioner.

Learned counsel for petitioner has also submitted that other co-accused, Md. Sahrukh @ Md. Hira, has already been granted bail by co-ordinate Bench of this Court by order dated 07.03.2019 passed in Criminal Miscellaneous No. 1783 of 2019.

Petitioner is in custody since 17.09.2018 having clean antecedent.

Considering the aforesaid, 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 83 of 2016, subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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