

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78910 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- ANGARH District- Purnia

Md. Imtiyaz S/o Abdul Karim R/o vill-Bijwar, P.S-Angarh, Distt.-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 13-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Angarh P.S. Case No. 11 of 2018 registered for
the offence punishable under Sections 302/34 of the Indian
Penal Code.

Informant who is the father of the deceased has
alleged that on 26.07.2018 when he came back from his
cultivable field he did not find his daughter and on search being
made along with his relatives, her dead body was found in the
Jute field of Saiful. He has not named any person in the FIR.
FIR is against unknown.

It has been submitted on behalf of the petitioner that



petitioner is not named in the FIR and has been falsely implicated in this case only on suspicion. There is no eye witness of the occurrence. It has been further submitted that in re-statement of informant in para 53 of the case diary he has stated that prior to alleged occurrence petitioner and other co-accused had made filthy joke with his daughter and she made complaint and in revenge petitioner and others have killed his daughter. However, such statement was not made by informant or his family members in the initial stage of investigation and subsequently on basis of information of Spy such statement has been made. Petitioner has no criminal antecedent and he is in custody since 04.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia, in connection with Angarh P.S. Case No. 11 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient



reason the trial court will be at liberty to cancel his bail bond.

(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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