

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35474 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- SIKARPUR District- West Champaran

SATTAR MIYA S/o Late Abdul Miya Resident of Village- Narkatiya, P.S.-
Shikarpur, 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.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 31-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Shikarpur P.S. Case No.
71/2018, instituted for offences under Sections 302 and 201/34
of the Indian Penal Code.

Earlier prayer for bail of petitioner was rejected by
this Court vide order dated 11.10.2018 passed in Cr. Misc. No.
58497/2018.

It is alleged in the written report that when informant
did not find his son in the morning, he raised suspicion and
started searching him. In course of search, he reached at wheat
field where he found huge quantity of wheat plants crushed and
earth was brushed clean with water. He found that petitioner and
his son were present there. They disclosed that swine has given



birth to pigs. The informant seeing the drops of blood on the wheat plants, raised suspicion. On removal of earth, dead body of his son was found lying.

Learned counsel for the petitioner has submitted that mere suspicion has been raised against this petitioner.

Report from the court below regarding stage of trial has been received from which it appears that case has been committed to the court of Sessions on 20.07.2019.

From the report of the court below it appears that there is no chance of conclusion of trial within short period.

Petitioner is in custody since 07.03.2018.

Keeping in view the period of custody spent by petitioner, prayer of the petitioner for grant of bail is allowed. 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, Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 71/2018, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and



every date fixed by the court and
absence on two consecutive dates
without valid reason will result in
cancellation of bail bond of the
petitioner and

(III) if petitioner tamper with the evidence
in the case, prosecution will be at
liberty to move for cancellation of bail
bond of the petitioner.

(Sanjay Priya, J)

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