

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69184 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- NAUGACHIA District- Bhagalpur

Md. Salman, aged about 19 years, Male Son of Md. Fuchhi Baitha @Msd. Ruchchi Baitha Resident of village- Bhainpur (Mainpur), P.S.- Mahagama, District- Godda (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-11-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Naugachia P.S. Case No. 166 of 2019 registered for the offence under Sections 302/34 of the Indian Penal Code.

It is alleged that son of informant used to work and take training in Laloo Garage, as Mechanic. On 18-05-2019, the informant got an information that his son is dead. On this information, he alongwith some relatives rushed to the said Garage and came to know that his son was sleeping at the roof of the Garage with petitioner and next day in the morning, the dead body of his son was found to be hanging with wire.

It is submitted on behalf of the petitioner that petitioner has been made accused in this case only on suspicion. There is no eye witness of this alleged occurrence, nor in any way petitioner has been found involved in the aforesaid



occurrence. It is further submitted that in this case, chargesheet has also been submitted and as such, there is no chance of tampering with the evidence. Petitioner is having clean antecedent and he is in custody since 19-05-2019.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 A.C.J.M. 1st, Naugachia, District - Bhagalpur in connection with Naugachia P.S. Case No. 166 of 2019 on the following conditions:

(1) Petitioner shall cooperate 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 on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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