

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1077 of 2020

Arising Out of PS. Case No.-924 Year-2019 Thana- MADHEPURA District- Madhepura

SHYAM SUNDRA MISTRI Son of Late Sakhi Chand Mistri Resident of
Village - Bhatrandha (O.P. Parmanandpur), P.S.- Ghailadh, District-
Madhepura, At present Village - Baliyaspatti, P.S. and District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-01-2020 Heard learned counsel for petitioner, counsel for the
informant and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

Informant has alleged that while he along with his
son gone to the village of her Daughter along with (petitioner)
Shyam Sundra Mistri and thereafter Shyam Sundra Mistri and
his son went to visit Bhatrandha but thereafter he did not return
and informant suspects that one and half years earlier one Nand
Kishor Mistry son of Ganesh Mistry died and Ganesh Mistry,
Akali Devi, Shilpi Devi conspired with Shyam Sundra Mistri



(petitioner) as such he suspects his son to be killed by the petitioner along with F.I.R. named accused.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. There is no eye-witness of the occurrence. Petitioner has no criminal antecedent. He has no enmity with either informant or his family. He has been made accused only on the basis of suspicion. Petitioner is in custody since 02.11.2019.

Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 924 of 2019, subject to 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 represented on each and every date fixed by the court.



(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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