

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6256 of 2020

Arising Out of PS. Case No.-595 Year-2019 Thana- SUPAUL District- Supaul

CHALITTAR SADA @ CHARITTAR SADA S/o Harichandra Sada R/o
village- Kajha Ward No.- 12, P.S. and District- Supaul Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

4 08-06-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Informant who is wife of deceased has alleged that on 1.9.2019 at about 5-6 A.M., the petitioner and co-accused Mirchu @ Fullo @ Fuleshwar Yadav came to her house along with her husband and after plugging his mobile for charging, her husband along with them went out from the house for working. However, when her husband did not return till 6-7 p.m., the informant went to the house of the petitioner and co-accused Mirchu @ Fullo @ Fuleshwar Yadav to enquire about her husband, who told her that her husband would be in the south Banswari of canal. Thereafter, she along with her family



members went there, but she could not find her husband. On 2.09.2019 in the morning, she went near the canal to search for her husband where she found him lying dead. Informant has suspected that FIR named accused have murdered her husband and threw the dead body.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case merely on the basis of suspicion. It is further submitted that the deceased, petitioner and co-accused Mirchu @ Fullo @ Fuleshwar Yadav were daily-wage worker, who used to work on different places and they used to return separately. Charge-sheet has already been submitted. Petitioner has no criminal antecedent and he is in custody since 18.10.2019.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Supaul (Lokha O.P.) P.S. Case No.595/2019, with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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