

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19577 of 2023**

Arising Out of PS. Case No.-172 Year-2022 Thana- PALASI District- Araria

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SANJAY SUTIHAR @ SANJAY SHARMA S/O LATE DOMRU SUTIHAR
R/O VILLAGE- CHOURI WARD NO. 03, P.S- PALASI, DISTT.- ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 302 of the Indian Penal
Code.

3. As per FIR, the allegation against the petitioner is
of killing his child by strangulation and threw the dead child and
fled away from there.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. Informant is the wife of the petitioner and the deceased is the son of the informant/petitioner. He submitted that the prosecution story is unbelievable and no reliance can be placed a such type of story that no one father killed his son, who is aged about 7 years. The deceased of the petitioner/informant was suffering from chronic disease as appears from the postmortem report itself and the doctor did not found any strangulation mark or any external injury on the body of the deceased. He further submitted that cordial relation is not good between the informant and the petitioner and due to annoyance the allegation has been made by the informant against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 25.05.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Palasi P.S. Case No. 172 of 2022.

(Sunil Kumar Panwar, J)

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