

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44561 of 2024

Arising Out of PS. Case No.-209 Year-2021 Thana- BAIRIYA District- West Champaran

Bittu Sharma @ Amit Kumar @ Bittu Kumar S/O Vinod Sharma R/O
Mohalla- Kishunbagh Santghat, P.S- Bettiah Town, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Adv.
		Mr.Sachida Nand Rai, Adv.
For the Opposite Party/s :		Mr.Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bairiya P.S. Case No. 209 of 2021 dated 14.10.2021 registered for the offences punishable u/s 302 of the Indian Penal Code.

3. As per the prosecution case, the informant's son Shekh Alauddin was murdered with sharp edged weapon by unknown persons and his dead body was found in the mango orchard.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Madan Yadav and Raju Kumar Yadav. The co-accused person has already



been granted regular bail by this court *vide* order dated 05.07.2024 passed in Cr. Misc. No. 18756 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 209 of 2021, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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