

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5862 of 2015

Arising Out of PS.Case No. -43 Year- 2013 Thana –Nawada Town District-Nawada

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Md. Iqbal Mallick, Son of Late Akhatar Mallik, Resident of Village –
Pedka, P.S- Manpur Distt- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 21-04-2015 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence
punishable under Sections 302, 201/34 of the Indian Penal Code.

The allegation is that the petitioner and co-accused Rajesh
Kumar were apprehended with the truck and it was suspected that
they have killed the driver of the truck.

It is submitted that during investigation, co-accused Rajesh
Kumar has made confession in paragraph 18 of the case diary in
which he has named the petitioner and the other accused Mohan
Kumar, Garib Yadav, Munna Kumar and Sunny Kumar @ Sunny
Sao. The name of the petitioner has also appeared in the confessional
statement of the co-accused Santosh Kumar in paragraph 32 of the
case diary. The confession has led to no recovery and the aforesaid
accused have been granted bail vide Annexure-2, 3, 4 and 5. After

investigation, charge sheet has already been submitted and there is no chance of tempering with the evidence.

The learned counsel for the State submits that the petitioner has also criminal antecedent.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/court concerned in Nawada Town P.S. Case No.43 of 2013 after framing of charge with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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