

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.23410 of 2016**

Arising Out of PS.Case No. -3 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-  
DARBHANGA

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Gauri Mallik, Son of Sita Ram Mallik, resident of Village-Kabilpur, P.S.-  
Bahadurpur, District-Darbhanga ..... Petitioner

Versus

The State of Bihar ..... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2 30-05-2016

Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is seeking bail in  
connection with L.N.M.U. P.S. Case No. 03 of 2016 registered for  
offences under Sections 400, 414, 420, 467 and 468/34 of the  
Indian Penal Code.

The petitioner has a criminal history in Bahadurpur  
P.S. Case No. 350 of 2015 and Bahadurpur P.S. Case No. 299 of  
2010. The Police received secret information that a group of  
persons are committing theft for different purposes. In this  
connection, other co-accused persons were arrested. From their  
possession, the looted materials including the money were  
recovered. The name of the petitioner has also surfaced on the  
statement of co-accused Rohit Sahni in pursuance thereof, the  
petitioner was also arrested along with the others. From the

possession of the petitioner, Police have not recovered any material to show any involvement in that case. The petitioner is in jail since 07.01.2016.

Looking to the facts and circumstances of the case, let the petitioner, namely, Gauri Mallik, be released on bail on or after 5<sup>th</sup> of July, 2016 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 03 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the L.N.M.U. police station by 7<sup>th</sup> of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

**(Shivaji Pandey, J)**

Vats/-

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