

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7176 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -MAHILA P.S District- SUPAUL

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Pahari Mallick @ Pahari Mallik @ Pahari Marik son of Late Bhullar Mallick @ Bhanar Mallik resident of village Tarawe, P.S.Gamharia, Dist. Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 15-03-2017

Heard Mr. Murari Narain Chaudhary counsel for the petitioner and Mr. Laxmi Kant Sharma APP for the State.

His prayer for bail was considered and rejected vide order dated 06.12.2016 (Annexure-1) which reads as under:-

“Consider the above, I am not persuaded to extend him the privilege of bail. The prayer is rejected.

However, the petitioner shall have liberty to renew his prayer for bail after six months or upon framing of charge which ever is earlier.”

It is stated that the charges have already been framed. Once again, it has been highlighted that petitioner is not amongst the two who committed sexual assault on the victim.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of bail to the petitioner. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 2nd Supaul, in connection with Sessions Trial No. 227 of



2016, arising out of Supaul (Mahila)P.S. case No. 66 of 2016/G. R. No. 1292 of 2016, subject to the following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) The petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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