

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4266 of 2018**

Arising Out of PS.Case No. -250 Year- 2017 Thana -KURSAKANTA District- ARRARIA

=====

1. Subodh Kumar Mallick S/o Surendra Kumar Mallick resident of Village-Sijhuwa, P.S. Kurssakanta, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Upendra Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      01-02-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Kursakanta P.S. Case No. 250/2017 dated 27.10.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 302 of the Indian Penal Code.

It has been alleged by the son of the deceased that on 26.10.2017, accused persons, including the petitioner, had assembled in the house of co-accused, viz. Dhrub Kumar Verma and had conspired to kill the father of the informant. A day later, all the accused persons set fire to the thatched house of the informant. When the father of the informant went to douse the fire, then, on the orders of co-accused viz. Asha Verma, Dhrub Kumar Verma assaulted him by a heavy stick on his head leading to his death.

Learned counsel for the petitioner has submitted that though the petitioner has been named in the F.I.R, but no specific overt



act has been alleged against him. It has further been submitted that merely because the petitioner happens to be a co-villager of the main accused persons, he has been roped in the present case. He has, in his personal capacity, no dispute with either the informant or the deceased.

Under similar circumstances, three other ladies, who have been made accused in this case, have been granted the privilege of anticipatory bail vide order dated 11.01.2018 passed in Cr. Misc. No. 63608/2017.

The petitioner has clean antecedent.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Vth, Araria in connection with Kursakanta P.S. Case No. 250/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Ashutosh Kumar, J.)**

Rakhi

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

