

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25203 of 2019

Arising Out of PS. Case No.-1226 Year-2018 Thana- SAHARSA District- Saharsa

Raja Mallick @ Raja Kumar Balmiki, Son of Bishundev Balmiki @ Bishnu Dev Balmiki Resident of Village - Gandhi Path, Ward No. 08, P.S. and District - Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avanish Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-05-2019 Petitioner seeks regular bail in connection with Saharsa Sadar P.S. Case No.1226 of 2018 registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 379, 354, 302, 504, 506, 384 of IPC and Section 27 of the Arms Act.

As per Fardebeyan, the prosecution story is that petitioner and other accused persons came to the house of the informant abused his mother-in-law and when the brother-in-law of the informant intervened, he was assaulted by Lathi and feast and there is further allegation that petitioner and other accused persons Gabbar Mallick and Kanhaiya Mallick fired at the husband of the informant, causing injury to him and he fell down, later on he died.



Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case and from the postmortem report it transpires that only one fire arm injuries has been received by the husband of the informant. Further submission is that two witnesses including mother of the deceased has stated itself that Gabbar Mallick who has fired and the petitioner is in custody for more than six months, having no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No.1226 of 2018, subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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