

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18735 of 2020**

Arising Out of PS. Case No.-333 Year-2019 Thana- DESARI District- Vaishali

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Amit Malik @ Ameet Mallik S/o Ramji Mallik Resident of Village- Rampur
Baghel, P.S.- Desarai, O.P.- Sahdei, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 03-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in **Desari (Sahdei O.P.) P.S.**
Case No. 333 of 2019, registered for the offence punishable
under Section 414 of the Indian Penal Code and sections 25
(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, informant received
confidential information on 28.09.2019 and thereafter, raid was
conducted. During raid, two persons boarded on one
motorcycle, namely, Ankit Kumar Pathak and this petitioner
were apprehended. One loaded country made pistol and one live



cartridge were recovered from possession of the co-accused Ankit Kumar Pathak. The accused persons did not produce paper of the said motorcycle.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Co-accused has taken name of this petitioner. Nothing has been recovered from possession of this petitioner. Petitioner is in custody since 25.09.2019.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 **Additional Chief Judicial Magistrate IV, Vaishali at Hajipur** in connection with **Desari (Sahdei O.P.) P.S. Case No. 333 of 2019** subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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