

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12311 of 2020

Arising Out of PS. Case No.-4 Year-2018 Thana- BARGAINIA District- Sitamarhi

SHIBU MALLICK Son of Mahendra Mallik Resident of Village-
Subhankarpur Ratnopatti, P.S.- Town, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner seeks bail in a case instituted for the
offences under Sections 363, 366A/34 of the Indian Penal Code.

The earlier bail applications of the petitioner were
rejected vide Annexure-1 to the present application with an
observation 'at this stage'.

A report was called for from the Trial Court. It has
been reported that altogether five prosecution witnesses are to
be examined in this case.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 23.01.2018 and has got no
criminal antecedent. Charge-sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of



witnesses alleged against the petitioner. The victim is said to have eloped with the co-accused Manoj Sahni. The petitioner is not named in the F.I.R.. There is no chance of trial being concluded in near future.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 04 of 2018.

(Sudhir Singh, J)

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