

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35417 of 2020

Arising Out of PS. Case No.-333 Year-2019 Thana- KALYANPUR District- East Champaran

BIKRAM MALIK Son of Ashrafi Malik Resident of Village- Jitaura, Police
Station- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-02-2021 Heard Mr. Anil Kumar, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Kalyanpur PS Case No. 333/2019 registered for the offence
punishable under Sections 302/201/34 of the IPC.

3. The allegation, as per First Information Report, is
that the dead body of the husband of the informant having cut
injury in his neck was found lying in the sugarcane field.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
confessional statement made by a co-accused, Baidyanath
Malik. Learned counsel further submits that petitioner is not
named in the FIR and he is having no criminal antecedents.



Learned counsel next submits that even if the confessional statement of the co-accused, Baidyanath Malik is taken into account, no role has been attributed to the petitioner in commission of the present offence. Learned counsel next submits that the looted property from the deceased has not been recovered from the possession of the petitioner.

5. Learned counsel also submits that the co-accused, Manoj Malik, whose name also transpired in the confessional statement of the said Baidyanath Malik, has been granted bail by this Court in Cr. Misc. No. 32452/2020. Learned counsel next submits that petitioner is in custody since 26.03.2020 having no criminal antecedents.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Manoj Malik has been granted bail by this Court, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

7. Accordingly, let the petitioner, BIKRAM MALIK 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 learned Additional Chief Judicial Magistrate-IXth, Motihari, East Champaran in connection with Kalyanpur PS Case No. 333/2019.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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