

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1823 of 2021

Arising Out of PS. Case No.-468 Year-2018 Thana- BAHADURPUR District- Darbhanga

SURENDAR KUMAR MALLICK @ BULLA MALLICK @ BALLA S/o
Raghunath Mallick R/o Mohalla- Rahamganj, P.S.- Laheriasarai, District-
Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 12.09.2020 in
connection with Bahadurpur P.S. Case No. 468 of 2018
registered for the offences punishable under Sections
149/342/323/324/504/307/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
co-accused Krishna took the informant on motorcycle at a
lonely place and in the way, a white coloured Scarpio came
from which co-accused Guddu came out and gave knife blow on
left shoulder of the informant and co-accused Rana stabbed with
him with dagger on the right hand who fell unconscious
thereafter all of them fled away. It is further alleged that when



the informant gained conscious, somehow, he informed his family and was taken to the hospital for treatment.

It is submitted on behalf of the petitioner that the only allegation against this petitioner is that, the petitioner along with co-accused Krishna took the informant to Raghepura and the specific allegation of stabbing is against co-accused Guddu and Rana. It is further submitted that he is only alleged to have associated the co-accused persons in the brutal assault of the informant. It is further submitted that co-accused Guddu who is alleged to have given dagger blow has already been granted bail by the court below and similarly situated Krishna has also been granted bail by the Court below itself. Chargesheet has already been submitted in this case. Petitioner is in custody since 12.09.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga, in connection with Bahadurpur P.S. Case No. 468/2018, subject to following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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