

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29995 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Raju Kumar Mallik Son Of Ranjit Kumar Mallik R/O- Village- D.S. College,
Katihar, P.S.- Katihar (TOWN), Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 379,427 of the IPC later on Section 411 of IPC was also added.

The prosecution case, in short, is that in mid-night of 03.01.2022 unknown persons committed theft of cable wire of telephone, in which 10 meter of cable wire cut down and has been taken away by unknown thieves, due to which function of internet was stopped.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and except self-confessional statement of the petitioner nothing has come, during investigation, against the petitioner and the petitioner is in custody since 24.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Court below where the case is pending in connection with Katihar (Town/Sahayak) P.S. Case No.12 of 2022, with the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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



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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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