

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51508 of 2021

Arising Out of PS. Case No.-274 Year-2021 Thana- MADHEPURA District- Madhepura

SHIVA MALLIK Son of Upendra Mallik R/o Near Ras Bihari School, Eard
No.18, P.S.- and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Punita Kumari Singh, Advocate
For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 16-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks.

The petitioner is in judicial custody in connection with Madhepura P.S. Case No. 274 of 2021 registered under Sections 302/34 of the Indian Penal Code.

The short FIR states that the informant's son who was working as a Sweeper was killed on 29.03.2021 and when he reached the spot, it was informed that the said killing has been done by amongst other the petitioner herein.

In this case, case diary was called for on 31.03.2022 which has now been received.

Learned APP for the State has drawn the attention to this Court to paragraph nos.-13 and 14 of it wherein it has been specifically mentioned that it was the petitioner, namely, Shiva



Mallik who broke the bottle and pierce it through the neck of the deceased.

Learned counsel for the petitioner submits that the petitioner is the only bread earner and have no criminal antecedent which may be considered for grant relief to him.

Considering the specific allegation that has come in the case diary against the petitioner herein, this Court is not inclined to grant any relief to him .

The bail application is hereby rejected.

The trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajiv Roy, J)

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