

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33804 of 2023

Arising Out of PS. Case No.-395 Year-2020 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Pappu Malik S/O Rajo Mallick @ Rajo Mallick R/O Village-Baijnathpur (Baijnathpur Khara), P.S.-Uda-Kishunganj, District-Madhepura
 2. Rupesh Mallik S/O Kishori Mallik @ Kishori Malik R/O Village-Kopa, P.S.-Sonbarsa, District-Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

The petitioners seeks bail in connection with Uda-kishunganj P.S. Case No.395 of 2020 registered for the offence under Sections 363, 365 and 120-B of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and is in custody since 22.09.2022.

The allegation against the petitioners is to kidnap the father of informant alongwith other co-accused persons.

Learned counsel appearing on behalf of the petitioners submitted that maximum allegation against these petitioners as per narration of the F.I.R. is to call the father of informant from



his house, alongwith other co-accused persons. It is also submitted that allegation is appearing very much general and omnibus against these petitioners. It is further submitted that similarly situated co-accused, namely Akhilesh Mallik, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 53776 of 2022 vide order dated 14.02.2023. While concluding the argument, it is submitted that petitioners are man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as allegation against these petitioners is to call father of informant from the house, which is appearing very much general and omnibus, coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 22.09.2022, let above named petitioners are directed to be released on bail in connection with Uda-kishunganj P.S. Case No.395 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of learned Additional Chief Judicial Magistrate-
I, Uda-kishunganj, Madhepura/concerned court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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