

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46899 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- LAUKAHI District- Madhubani

DEVENDRA MALLIK S/O HARI MALLIK R/O Village- Kariout Mahdeva
Tole Dhanuki, P.S- Laukahi, Distt.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gagandeo Yadav, Advocate

Mr.Ravi Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Laukahi P.S. Case No. 45 of 2022 registered for the offences punishable under Sections 457, 380, 411 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that while he was sleeping in his house, he heard the sound and saw that two persons trying to flee away from his house, he identified one of the co-accused Shambhu Mallik in the bulb light, but he fled away. It is alleged that when the informant returned to his house he found that lock of the box has been broken and the documents kept therein were stolen.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the alleged stolen articles have been allegedly recovered from the possession of co-accused Shambhu Mallik and not from this petitioner.

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

6. Having regard to the facts and circumstances of the case wherein the alleged stolen articles have been allegedly recovered from the possession of co-accused Shambhu Mallik and not from this petitioner, petitioner has otherwise no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Jhanjharpur, District – Madhubani, in connection with Laukahi P.S. Case No. 45 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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.

(Rajeev Ranjan Prasad, J)

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