

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20251 of 2024

Arising Out of PS. Case No.-209 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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Akash Kumar @ Akash Mallik son of Rajesh Mallik Village- Naurangabagh
Ps- Bettiah Town Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 147, 148,
149, 341, 323, 307, 504 and 506 of the Indian Penal Code.

Prosecution case in nutshell is that while the
informant was sprinkling water at his door, in the meantime, co-
accused Raushan Mallik came there on motorcycle and in the
background of earlier dispute, hit the informant by his
motorcycle. When the informant raised protest, petitioner along
with other co-accused persons, variously armed, came there and
on the order of co-accused Rajesh Malik, co-accused Raushan
Mallik assaulted the informant by means of Farsa due to which



he sustained head injuries. When the brother of informant, namely, Rohit Mallik came to save his brother, petitioner assaulted him by means of Farsa due to which he sustained head injuries. It is further alleged that co-accused Vishal Malik also assaulted Rohit Mallik by means of Farsa due to which he sustained injuries on his hand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to business dispute between both the parties as both parties are neighbours. It is further submitted that there is case and counter case between both the parties and both parties have sustained injuries as alleged in separate occurrence. It is further submitted that the petitioner is languishing in judicial custody since 08.01.2024. Similarly situated co-accused Raushan Mallik @ Manish Kumar has been granted bail vide order dated 14.07.2023, passed in Cr. Misc. No. 40764 of 2023 by this Court.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the



petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bettiah (Town) P.S. Case No. 209 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, West Champaran, Bettiah.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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