

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35750 of 2024

Arising Out of PS. Case No.-532 Year-2023 Thana- DUMRA District- Sitamarhi

Binod Malik S/O Makeswar Mallik @ Mukeshwar Malik R/O Village-
Aajamgarh, P.S- Dumra, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Dumra P.S.
Case No. 532 of 2023 dated 07.11.2023 registered for the
offence punishable under Sections 457, 380 and 411 of the
Indian Penal Code.

3. As per the prosecution case, some unknown accused
persons have committed theft in the house of the informant. It is
alleged that they have stolen *Tika, Nathiya, Jhumka*, ring, silver
ornaments etc. from the house of the informant.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is submitted that F.I.R. has been lodged against



unknown accused persons. It is submitted that on the confessional statement of the petitioner, the stolen articles were recovered from the shop of one Santosh Sah. It is submitted that the said stolen articles have already been handed over to the informant. Lastly, it has been submitted that the petitioner is in custody since 08.11.2023, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Dumra P.S. Case No. 532 of 2023, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister



and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner shall appear before the Police Station of his local area every fortnight to mark his attendance till conclusion of the trial.

(Khatim Reza, J)

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