

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64781 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- SAKATPUR District- Darbhanga

Suresh Mallik @ Dilip Ram Son of Gudan Mallik @ Budhan Ram Vill-
Gangauli Kanakpur Ps- Sakatpur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Heard Mr.Baleshwar Kamat, learned counsel for the

petitioner and Mr.Rana Randhir Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sakatpur P.S.Case No.10 of 2024, (G.R.No.407/2024), FIR dated 07.02.2024 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 325, 307, 379, 354(B), 448, 427 of IPC.

3. The prosecution case, in short, is that the informant alleged that on 03.02.2024 he had gone to the house of Umesh Mallik for inquiry and returned and thereafter petitioner and other co-accused persons all of a sudden entered into the courtyard of the informant and began to abuse him upon which informant objected then they caused hurt on the head of the



informant with deadly weapon.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Although petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner.

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

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Sakatpur P.S. Case No.10 of 2024, (G.R.No.407/2024), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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/her 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.

(Rajesh Kumar Verma, J)

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