

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64218 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- SINDHIYA District- Samastipur

Vijay Mallik @ Vijay Kumar Mallik S/o Suresh Mallik R/o vill - Sumbha
Dyodhi, ward no. 5, P.S. - Singhia @ Sindhiya, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-10-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 341, 323, 504, 304B, 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner is the husband of the deceased. He is alleged to have killed the deceased after torturing her.

4. Learned counsel for the petitioner submits that that the deceased had committed suicide which has come in para 48 of the Case Diary. Petitioner is in custody since 27.02.2023 and there is no progress in the trial.

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



6. Considering the aforesaid facts and circumstances, this application for regular bail is allowed.

7. Let the petitioner, above named, 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 the learned Addl. District and Sessions Judge-I, Rosera, Samastipur/ concerned Court below in connection with Singhiya @ Singhia P.S. Case No. 36 of 2023 subject to condition that:-

7(i) The Court below at the time of furnishing bail bond will verify the fact as to whether it has come in para 48 of the case diary that the deceased had committed suicide. If it is found that the deceased had committed suicide then the bail bond of the petitioner shall be accepted. If the suicide theory is found false then the bail bond of the petitioner shall not be accepted.

8. This application stands allowed.

(Sandeep Kumar, J)

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