

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65844 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Golu Mallik S/o- Munna Mallik, resident of Mohalla- Azam Nagar
(Azamnagar), Near Durga Mandir Chatariya Pul, Ps- LNMU Dist- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Manish Kumar No 13, the learned

counsel for the petitioner and Mr. Rajiv Nayan, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with L.N.M.U. PS Case No. 175 of 2024, FIR dated

17.06.2024, registered for the offences punishable under

Sections 457 and 380 of the Indian Penal Code.

3. According to the prosecution case, while the

informant had gone to his village during summer vacation, theft

was made at his house and various articles, money and valuable

documents were stolen.

4. Learned counsel for the petitioner submits that

petitioner has clean antecedent and he has falsely been

implicated in the present case and the allegation levelled in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that upon perusal of the seizure list, it appears that stolen articles were recovered from the possession of co-accused person namely, Chhotu Kumar, who has confessed the name of the petitioner in the present occurrence and except the aforesaid, no other cogent material has come during investigation which suggests that involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and name of petitioner has transpired on the basis of confessional statement of co-accused person, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Judicial Magistrate 1st Class, Darbhanga, where the case is pending in connection with **L.N.M.U. PS Case No. 175 of 2024**, subject to



the conditions as laid down under Section 438(2) of the Cr.P.C.
and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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