

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50716 of 2025

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

Vijay Mallik @ Vijay Kumar Mallik S/O Late Suresh Mallik R/O Village-
Sumbha Dyodhi, Ward No.-5, P.S- Singhia @ Sindhiya, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 592 of 2023 arising out of Singhia @ Singhia P.S.
Case No. 36 of 2023, registered for the offences punishable
under Sections 341, 323, 504, 304(B) and 34 of the Indian Penal
Code.

3. The following order was passed on 01.10.2024 in
Cr. Misc. No. 64218 of 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."

4. Thereafter, the Court below dismissed the prayer for bail of the petitioner on the ground that paragraph 48 contains the supervision note and not the statement of any



witness. The petitioner is in custody since 27.02.2023. It is submitted that no witness has been examined till date.

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

6. Considering the delay in trial and the period of custody, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-I, Rosera, Samastipur / concerned Court below in connection with S.Tr. No. 592 of 2023 arising out of Singhiya @ Singhia P.S. Case No. 36 of 2023, subject to the following condition:

(i) As a condition of this order, the petitioner, after being released on bail, is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed in the trial. Non-compliance of this condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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