

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85356 of 2025

Arising Out of PS. Case No.-334 Year-2025 Thana- BEGUSARAI TOWN District- Begusarai

Rahul Mallik, S/o Anil Mallik, R/o Village - Pokhariya, Ward no. 36, P.S -
Town/Nagar, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Town/Nagar P.S. Case No. 334 of 2025, corresponding to G.R. Case No. 3691 of 2025 registered for the offences punishable under Sections 303(2), 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the allegation against the petitioner is that he has committed theft of eight pieces of juck spring, which were kept confined in the gunny bag, however, he has been apprehended from the place of occurrence.

4. The learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been



implicated in this case. Learned counsel for the petitioner further submits that on perusal of the seizure list, it would be evident that there is no signature of the petitioner on the same and, therefore, the seizure also becomes doubtful. It has next been submitted that the only material against the petitioner is his self-confessional statement before the police, which is not admissible in law. It has lastly been submitted that the petitioner is in custody since 18.08.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, 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 court below where the case is pending/successor court in connection with Town/Nagar P.S. Case No. 334 of 2025, corresponding to G.R. Case No. 3691 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two



consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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