

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66480 of 2021

Arising Out of PS. Case No.-113 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ranjit Sah, Son of Late Janak Sah, Resident of Village Neula, P.S. Bhagwanpur, District - Begusarai at present resident of Malhar, P.S. Gwal Pokhar, District North Delajpur (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 70597 of 2021

Arising Out of PS. Case No.-113 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ganesh Patel, Son of Late Narayan Patel, Resident of village - Naula, Ward No.- 12, P.S.- Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17175 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Raju Mukhiya, S/o Late Bhagwat Mukhiya, Resident of Village- Mathahi, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 66480 of 2021)

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh, Advocate

For the State : Mr.Vinod Shanker Modi, APP

For the Informant : Mr. Ashok Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 70597 of 2021)

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App), APP



petitioners are not named in the FIR and they have been falsely implicated in this case. Nothing incriminating has been recovered from their person or possession. The name of the petitioners transpired in this case on the basis of confessional statement of petitioner Ganesh Patel. It has been submitted that during investigation, the police came to know about a vehicle belonging to the son of the petitioner Ganesh Patel which was seen moving suspiciously and further from the tower location of three mobile numbers whose locations were found near the place of occurrence, the petitioner Ganesh Patel was apprehended and his confessional statement was recorded. Learned counsel further submits that the petitioners are not the holders of the mobile numbers whose location has been stated to be near the place of occurrence. Confessional statement of the petitioner has got no value in the eyes of law. Petitioner Ranjit Sah is in custody since 10.08.2021, petitioner Raju Mukhiya is in custody since 06.12.2021 and petitioner Ganesh Patel is in custody since 28.05.2021, respectively. Charge-sheet has been submitted against them.

Learned APP as well as learned counsel appearing on behalf of the informant vehemently opposes the prayer for bail. Learned counsel for the informant submits that the tower



location of the mobile phones of the petitioners were found near the place of occurrence and they are residents of different places and convergance of their mobile numbers at the same place shows their complicity in the alleged occurrence. Learned counsel further submits that there is no certainty about the residential address of the petitioners and due to this reason, trial would be delayed if the petitioners are enlarged on bail. Learned counsel further submits that the petitioners are habitual offender and large number of cases pending against them.

Perused the records.

Having regard to the submissions made hereinabove and considering their period of custody along with the submission of charge-sheet against the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Begusarai Muffasil P.S. Case No. 113 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioners will be accepted only after framing of charge, if not



already framed.

(ii) One of the bailors will be a close relative of the petitioners.

(iii) The petitioners will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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