

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60962 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- PARIHAR District- Sitamarhi

SANTOSH GIRI Son of Jaykishore Giri Resident of Village- Bhupbhairo,
Ward No. 12, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Punit Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-03-2022 Heard.

At the outset, the learned counsel for the petitioner seeks to correct some typographical error which has occurred in paragraph no. 1 of the present petition.

The learned counsel for the petitioner is permitted to do so, during the course of the day.

The petitioner seeks regular bail in connection with Parihar P.S. Case No. 79 of 2021, registered for the offence punishable under sections 461 and 379 of the Indian Penal Code.

The allegation is regarding unknown miscreants having committed theft in the mobile



shop of the informant where-after various articles are stated to have been stolen from the said shop.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 28.06.2021. The learned counsel for the petitioner has further submitted that though the petitioner is accused in one other case but he is on bail in the said case. It is also submitted that merely on suspicion, the petitioner was apprehended by the police and thereafter his confessional statement was recorded by the police, which has got no evidentiary value in the eyes of law. Lastly it is submitted that no looted articles have been recovered from the conscious possession of the petitioner.

Per contra, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the period of incarceration, I deem it fit



and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Judicial Magistrate- 1st Class, Sitamarhi in connection with Pariahar P.S. Case No. 79 of 2021.

(Mohit Kumar Shah, J)

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