

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3200 of 2023

Arising Out of PS. Case No.-140 Year-2021 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Gautam Mistri @ Ghato @ Gautam Kumar Son Of Birendra Mistry @
Devendra Mistry R/O Sakin, Village- Mohabbatpur, P.S.- Sheikhopur Sarai,
District- Sheikhpura, Pin Code- 811103

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shilpi Keshri

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 419, 420,
467, 468, 471, 120(B), 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
co-accused persons used to cheat customers, through
advertisements by alluring them.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case on the basis of suspicion.
The name of the petitioner came into light on the basis of
confession made by co-accused Santu Ram, before the police,
which has got no evidentiary value in the eye of law. Except



this, nothing is found against the petitioner. Nothing incriminating article has been recovered from his conscious possession of the petitioner which shows his complicity in this crime. Moreover, similarly situated co-accused namely, Ritik Ram has already been granted bail by a coordinate Bench of this Court vide order dated 15.7.2022 in Cr. Misc No. 30074 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 28.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shekhopur Sarai P.S. Case No. 140 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura/concerned Court.

(Sunil Kumar Panwar, J)

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