

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48443 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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DHEERAJ KUMAR Son of Ahoti Ray @ Anhoti Ray Resident of village -
Godhiya, P.S. - Shikargnj, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.
For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. Petitioner seeks regular bail in connection with

Mufassil P.S. Case No.113 of 2023 dated 04.02.2023 registered
for the offence punishable under Section 392 of the Indian Penal
Code.

3. The main submissions advanced by petitioner's

counsel are that the instant matter relates to loot of Rs. 25,000/-
and two mobile phones from the possession of the informant
and the FIR was registered against unknown persons and during
the course of investigation, the looted mobile phones were
recovered from the possession of co-accused Vikash Kumar



Paswan, who disclosed the name of this petitioner being involved in the alleged crime in his confessional statement recorded before the police which has no evidentiary value, in fact, there is an inimical term in between this petitioner and the said co-accused owing to which the said co-accused falsely roped this petitioner in the alleged crime and moreover co-accused Vikash Kumar Paswan has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 38520 of 2023. Further submissions are that the petitioner is a very young person and has been languishing in jail since 27.05.2023 having fair and clean antecedent and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly petitioner's fair antecedent and the completion of investigation against him and also, the fact, that above mentioned co-accused who disclosed the role of this petitioner in the alleged crime has been granted bail, in my opinion, in the said circumstances the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in
connection with Mufassil P.S. Case No.113 of 2023.

(Shailendra Singh, J.)

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