

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51108 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- GHOGHARDIHA District- Madhubani

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Suraj Kumar Mandal Son Of Ram Avtar Mandal @ Ramavatar Mandal
Resident Of Village - Dighiya Tol, P.S. - Ghoghardiha, District - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 51543 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- GHOGHARDIHA District- Madhubani

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Vikash Kumar @ Vikash Kumar Kamat Son Of Ram Lochan Kamat Resident
Of Village - Dighiya Tol, P.S. - Ghoghardiha, Distt. - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 51108 of 2023)

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Rajesh Kumar

(In CRIMINAL MISCELLANEOUS No. 51543 of 2023)

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for regular bail in a

case registered for the offence punishable under section 392

of the Indian Penal Code.

As per prosecution case, the allegation against the



co-accused, Namely, Jitan Mukhiya and some unknown miscreants is that they surrounded the informant and his friend and snatched cash Rs. 10,000/- Aadhar Card and from his friend cash Rs. 2000 and other articles. It is further alleged that they on point of pistol also took away his motorcycle.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on the basis of confessional statement of co-accused. They have got no criminal antecedent. Neither the petitioners are named in the FIR nor they were put on TIP. It is further submitted that seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. similarly situated co-accused from whose confession name of the petitioner came into light has already been granted bail by a coordinate Bench of this Court vide order dated 03.08.2023 passed in Cr. Misc. No. 48192 of 2023. Moreover, the petitioners are languishing in judicial custody since 26.04.2023.

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 as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Ghoghardiha P.S. Case No. 66 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-Ist Class, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

Manishkumar/-

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