

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58034 of 2023

Arising Out of PS. Case No.-344 Year-2023 Thana- MAHUA District- Vaishali

Ravitesh Giri Son Of Late Mahesh Giri Village- Bharhopur, Ps- Ekma, Dist- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60002 of 2023

Arising Out of PS. Case No.-344 Year-2023 Thana- MAHUA District- Vaishali

Deepak Kumar @ Deepak Soni S/O Sri Niwas Soni R/O Village- Bara Ghosa Ray, Ps. Deebai, Dist. Bulandsahar (Uttar Pradesh)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 58034 of 2023)

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Jai Narain Thakur

(In CRIMINAL MISCELLANEOUS No. 60002 of 2023)

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-10-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek regular bail in connection with Mahua P.S. Case No. 344 of 2023 registered for the offences punishable under Sections 461, 379 of Indian Penal Code and later on added sections 411, 413, 414 of the I.P.C.

3. The prosecution story, in brief, is that some miscreants are alleged to have committed robbery in the shop of



the informant and while doing so, taken away mobile phones valuing 15-16 lakhs, laptops and other materials. Some stolen mobiles phones were recovered from possession of petitioner Deepak Kumar.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They are not named in the FIR. Both have got no criminal antecedent as stated in para-3 of their petition. Learned counsel on behalf of petitioner Ravitesh Giri submits that his name transpired on the basis of confessional statement of co-accused Suraj Manjhi and no any stolen material is stated to have been recovered from his possession. It is also submitted on behalf of petitioner Deepak Kumar that seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. Moreover, both petitioners are languishing in judicial custody since 30.6.2023.

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

6. Considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are



directed to be released on bail in connection with Mahua P.S.
Case No. 344 of 2023 on furnishing bail bond of Rs.10,000/-
(ten thousand) each with two sureties of the like amount each to
the satisfaction of learned Judicial Magistrate 1st Class, Vaishali
at Hajipur or concerned Court.

(Sunil Kumar Panwar, J)

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