

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78233 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- THALI District- Nawada

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Babloo Mistry @ Babloo Kumar S/O Shailendra Mistry @ Satyendra Mistry
R/O Village- Khanpura, P.S.- Girichak, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 78350 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- THALI District- Nawada

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VIJAY YADAV @ CHHOTANI Son of Chando Yadav R/o vill - Khanpura,
P.S. - Giriyak, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 78233 of 2023)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

(In CRIMINAL MISCELLANEOUS No. 78350 of 2023)

For the Petitioner/s : Mr.Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case registered for the offence punishable under sections 341,
342, 379, 34 of the Indian Penal Code and later on added
sections 395 & 412 of the IPC.



3. As per prosecution case, some miscreants are alleged to have committed theft huge quantity of wire, scrap of conductor, electric conductor etc from the godown situated at village Jasari.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners are not named in the FIR. Their name name into light on the basis of confessional statement of co-accused Naveen Kumar @Navalesh before the police. They have falsely been implicated in this case. The stolen materials are said to have been recovered from possession of co-accused persons but nothing incriminating article has been recovered from this petitioner. The petitioner have got no criminal antecedent and languishing in judicial custody since 7.8.2023. Moreover, similarly situated co-accused namely, Naveen Kumar has already been granted bail by this Court vide order dt. 16.10.2023 passed in Cr. Misc. No. 59725 of 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 Thali P.S.
Case No. 124 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 CJM, Nawada/ concerned Court.

(Sunil Kumar Panwar, J)

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