

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4413 of 2025

Arising Out of PS. Case No.-415 Year-2024 Thana- GRIYAK District- Nalanda

1. Deva @ Devjeet Kumar Son of Sanjay sao Resident of Village- Ahiyachak,
P.s.- Katrisarai in the district of Nalanda
2. Chirag Paswan Son of Muneshwar Paswan Resident of Village- Ahiyachak,
P.s.- Katrisarai in the district of Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Giriak
P.S. Case No. 415 of 2024 instituted for the offences under
Sections 316(2), 318(4), 319(2), 336(3), 338, 339, 340(2),
341(1), 342(1), 3(5), 61(2), 111(2)(b) of the Bhartiya Nyaya
Sanhita and Section 66(c), 66(d), 66 of the I.T. Act.

3. As per prosecution case, the police has recovered
large number of laptops, mobiles, Master-cards, Dabit Cards,
Check-book, Pinter etc. from the houses of the two co-accused
namely Dhananjay Kumar and Alok Ranjan.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners were not arrested from the house of the co-accused Dhananjay Kumar @ Dhananjay Sao. The petitioners have no concern with the alleged occurrence and were apprehended in this case only on the basis of suspicion. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 28.10.2024 without any rhyme or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioners is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail



bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Giriak P.S. Case No. 415 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioners.

(ii) The petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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