

In the court of Additional Sessions Judge-XVI,
Motihari, East Champaran
B.P. No. 2491/2022

1. Ravi Ranjan Kumar
2. Vickky Kumar **Petitioners**

Versus

State of Bihar **O.P.**

18.10.2022

Bail petition dated 08.10.2022 arising out of Harsidhi P.S. Case No. 443/2022 u/s 379, 414 IPC is pressed today by the Ld. Counsel Sri Pawan Kumar on behalf of the above named accused petitioners incarcerated since 09.09.2022 & 10.09.2022. Copy of the petition has already been served to Ld. P.P.

Ld. Counsel appearing on behalf of the accused petitioners submits that petitioners are quite innocent and have falsely been implicated in this case. No any regular or anticipatory bail application has been filed earlier either before this learned court or before any higher court.

The prosecution's case in brief is that on 08.09.2022 at 4:00 am informant received a telephonic message that site is down. He went to tower and found that 22 piece of batteries and BTS of Aircel Co. worth Rs. 4,80,000/- were missing. At once he informed about the incident to his cluster I/C namely Sanjay Kumar Pandey and he too came at the place of occurrence and tried to trace them out but failed. Police was informed. On receiving information, informant with local police went to the door of Harikishore Giri and recovered batteries etc. from Alto K10 VXi car bearing Reg. No. BR-06-AY-5787. Seized articles along with accused Ravi Ranjan Kumar were brought to police station.

It was further submitted on behalf of the petitioners that they have been implicated in this case due to malafide intention. Petitioner Vickky Kumar is not named in the FIR nor arrested at the spot. No incriminating article has been recovered from possession of petitioners. Petitioners have no criminal antecedent. Hence, they may be enlarged on bail.

Ld. P.P. opposed the same.

Heard and perused the record. From the perusal of the case diary, it transpires that as per seizure list 6 pieces of batteries, connecting stick 20 pieces, Hexa blade 5 pieces, a daab and an iron rod and alto car have been recovered from the possession of

Ravi Ranjan Kumar. In his confessional statement he has admitted his involvement as well as involvement of petitioner Vickky Kumar in the aforesaid theft. Investigation is still pending against the petitioners.

Considering the above facts and circumstances, the prayer of above named petitioners for bail is hereby **rejected** in connection with Harsidhi P.S. Case No. 443/2022.

Dictated

Sd/-

**Addl. Sessions Judge-XVI
Motihari.**