

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28576 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- BIBHUTIPUR District- Samastipur

SANTOSH KUMAR @ SANTOSH KUMAR SUMAN Son of Anandi Sah,
Resident of Village- Kancha, P.S. Ghataho, Dist- Samastipur. ... Petitioner/s
Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Vibhutipur (Bibhutipur) P.S. Case No. 39 of 2019 for the offences punishable under Section 392 of the Indian Penal Code.

Four unknown miscreants are said to have looted cash and jewellery etc. from the house of the informant overpowering his wife. Stolen silver jewellries are said to have been seized from the shop of the petitioner.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. Petitioner has been falsely implicated in the aforesaid case. There is no cogent evidence on the record indicating complicit of the petitioner in the occurrence barring confessional statement of co-accused Chandan Kumar and Aman Kumar who are said to have sold the



stolen silver ornaments to the petitioner. As a matter of fact, petitioner runs the jewellery shop under the name and style of Om Shiv Alankar Pratigya Jewellers since 10 years and recovered silver ornaments was purchased by the petitioner from Dhiraj Jewellery Bakarganj Patna and was kept in his shop for the purpose of selling (vide invoices Annexure-3). None has claimed the aforesaid ornaments as yet and the seized ornaments has not been put on TIP. He is a responsible businessman. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri L.N. Tripathi, J.M. 1st Class, Rosera, Samastipur in connection with Vibhutipur (Bibhutipur) P.S. Case No. 39 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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