

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31698 of 2020

Arising Out of PS. Case No.-313 Year-2019 Thana- RAJIVNAGAR District- Patna

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Dhananjay Kumar @ Bhokta @ Bhopta, Son of Madhu Paswan Resident of
Village - Naya Gaon, Musallahpur Hat, P.S. - Pirbahore, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-12-2020 In view of the submission and the undertaking of the

learned counsel for the petitioner, at the time of hearing of
this application through video conferencing, that he would
remove the defect(s), as pointed out by the office vide its notes
dated 24.11.2020, within two weeks of starting of the Court
proceeding in physical mode, he is permitted to remove the
same accordingly.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Rajivnagar P.S. Case No. 313 of 2019, registered under
Sections 395 and 397 of the Indian Penal Code.

The accusation is that in the evening of
21.06.2019, the informant Ratnesh Kumar Sharma along with



his staffs were present in his Jewellery shop, at that time, two unknown persons entered in the shop and started talking regarding purchase of jewellery. In the meantime, two other unknown persons also entered in the shop as a customer and, again, 5 to 6 unknown persons entered in the shop and caught hold the guard Dipulal Srivastava on the point of pistol and closed the door. At that time, all miscreants pointed pistol on them and created terror. They took diamond and golden ornaments worth of Rs. 4 to 5 Lakhs and they also looted cash of Rs. 13 Lakhs and mobiles of his staffs. The informant claimed that all the miscreants were in the age group of 25 to 35 years and he also claimed to identify the culprits on seeing them again.

Learned counsel appearing for the petitioner submits that petitioner is not named in the F.I.R. In course of investigation, the name of petitioner surfaced in the confessional statement of Ravi Gupta @ Patient and the petitioner has been remanded in this case from Gaurichak P.S. Case No. 313 of 2019. Further submission is that, in fact, petitioner is accused in three cases, as detailed in paragraph-3, due to that reasons, he has falsely been implicated in this case. Further submission is that petitioner is in custody since



03.08.2019, but he has not been put on T.I.P, while informant had claimed to identify the culprits on seeing them again. Sri Nityanand Kumar, learned counsel appearing on behalf of petitioner submits, at bar, that petitioner is on bail in all the three cases, as detailed in paragraph No.3 of the petition.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-XXVI, Patna in connection with Rajivnagar P.S. Case No. 313 of 2019 (S.T. No. 1054 of 2019).

(Rajendra Kumar Mishra, J)

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