

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6252 of 2022**

Arising Out of PS. Case No.-85 Year-2021 Thana- PATORI District- Samastipur

Sachin Kumar @ Sachin Singh, Son of Narendra Kumar, Resident of Village-  
Mokhtarpur, P.S.- Mahnar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Rahi, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

4      19-09-2022      Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Alok Kumar Rahi, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Patori (Mohanpur O.P.) P.S. Case No. 85 of 2021 registered for the offence punishable under Section 395 of the Indian Penal Code.

As per prosecution case it is alleged that on 27.03.2021 while the informant along with his nephew were returning from his shop keeping the jewellery in the dicky of the motorcycle, in the meantime, six persons on two motorcycles intercepted them and started assaulting on the point



of pistol and also took away the gold jewellery worth Rs.2,00,000/- and cash of Rs.40,000/-.

Learned counsel for the petitioner submits that from the F.I.R., it would be evident that the F.I.R. is instituted against unknown persons, however, during the course of investigation co-accused Sonu Bhagat was apprehended and on the confessional statement of Sonu Bhagat, the name of the petitioner transpired. He further submits that save and except the confessional statement, there is no material showing the complicity of the petitioner, inasmuch, as neither any incriminating material has been recovered from his possession nor he has been put on Test Identification parade till date, though the petitioner is in custody since 03.11.2021. He further submits that one of the co-accused, namely, Rakesh Rai @ Rakesh Kumar, who was apprehended along with co-accused Sonu Bhagat, has already been granted bail by the learned coordinate Bench of this Court in Cr. Misc. No. 58328 of 2021 vide order dated 29.04.2022. He lastly submits that after completion of the investigation, now charge-sheet has been submitted and, as such, there is no chance of absconding of the petitioner and tampering with the evidence.

On the other hand, learned APP for the State



vehemently opposes the bail application and submits that in course of investigation the police has collected the audio clips of conversation of accused persons, wherein it has been found that the petitioner was in constant touch with the other accused persons and they were found making conversation for distribution and disposal of jewelleries and looted cash after the occurrence. He further submits that the petitioner has multiple criminal antecedent.

In response to the aforesaid submission, learned counsel for the petitioner submits that so far the pending criminal cases are concerned, the petitioner is on bail in all other cases.

Regard being had to the submissions made on behalf of the parties and considering the materials available on record disclosing the involvement of the petitioner as also the fact that the petitioner was in constant touch with the other accused persons and his audio clips collected during the course of investigation also shows the complicity of the petitioner, apart from the recovery of jewelleries from the possession of co-accused Karan Kumar, coupled with the criminal antecedent of the petitioner, this Court is not persuaded to enlarge the petitioner on bail, for the present.



However, the petitioner is at liberty to renew his prayer for bail after three months, if there would not be any substantive progress in the trial.

**(Harish Kumar, J)**

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