

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8402 of 2022**

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

=====

Dharmnath Singh @ Dharma, Son of Rana Singh, R/O Village- Ward No.5,  
Mathura, P.S.- Bidupur, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Om Prakash Om, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

2      06-07-2022              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 Dr. Om Prakash Om, learned counsel for the  
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in  
connection with Hajipur Town P.S. Case No. 1052 of 2019  
registered for the offences punishable under Sections 395 and  
397 of the Indian Penal Code.

As per prosecution case, the informant, who happens  
to be the Branch Manager of “Muthoot Finance Company”,  
Cinema Road, Hajipur alleged that while he was working with  
his associates, in the meantime, 6-7 miscreants having armed in  
their hands entered into the office and on the point of pistol they



took away 55.777 Kg Gold and Rs.50,000/- cash from the locker.

It is submitted by the learned counsel appearing on behalf of the petitioner that the F.I.R. has been instituted against unknown persons, however, during the course of investigation one Mukul @ Priya Ranjan Kumar has been arrested and on whose confession, the name of 38 persons including this petitioner have been implicated in this case. It is further submitted that no incriminating article has been recovered from the person or possession of this petitioner, which suggests the involvement of this petitioner in the present crime. It is next submitted that the petitioner, in fact, was in custody in connection with another case from where he has been remanded in this case on 16.03.2021 and moreover the investigation of the crime is concluded and the charge-sheet has been submitted. It is next submitted that only because of the fact that the petitioner has been found involved in six other cases, the name of the petitioner has been implicated in this case.

On the other hand, learned APP for the State opposes the bail application and submits that during course of investigation the complicity of this petitioner has come and moreover this petitioner has found involved in six other cases.



Having considered the submissions made on behalf of the parties and taking into consideration the fact that the petitioner was neither named in the F.I.R. nor any incriminating material has been recovered from the person or possession of this petitioner, apart from the fact that his name has been transpired in the confessional statement of co-accused and thereafter he has been remanded in the present case on 16.03.2021 and since then he is in custody, though the investigation of the crime is concluded and the charge-sheet has been submitted in this case, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 1052 of 2019, subject to the condition that one of the bailors will be the local residents with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.



(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

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