

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19152 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- HATHUA District- Gopalganj

SHUBHAM SONI Son of Din Dayal Prasad Resident of Village - Hathua
Bazar, P.s.- Hathua, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 05-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Petitioner seeks regular bail in Hathua P.S Case No. 17
of 2022 registered for the offences punishable under Sections 457,
380 of the Indian Penal Code.

As per prosecution, unknown thieves committed theft
of gold ornaments worthy Rs 8/- lakh and 750 gram of silver
worth Rs 4.8/- lakh.

The main submissions advanced by Sri Baidya Nath
Thakur, learned counsel appearing for the petitioner are that the
petitioner is not named in the FIR, his name surfaced in the
statement of the co-accused Golu Kumar who has been granted
bail by the court below vide order dated 20.8.2022 passed in



B.P. no. 138/2022 and the petitioner has been languishing in jail since 12.02.2022 having no criminal antecedent.

Sri Nand Kishore Prasad, learned APP appearing for the State has opposed the prayer for bail.

Heard both the sides, perused the FIR and the case diary of this case. Co-accused Golu Kumar who revealed the name of this petitioner is on bail as per above submission and during the course of investigation one 8 gram gold biscuit is stated to have been recovered from the possession of the petitioner but the prosecution has failed to satisfy this Court whether the said biscuit was made of the stolen ornament and the alleged recovered biscuit is stated to have been recovered on 10.02.2022 while petitioner's statement was recorded on 11.02.2022 which shows that the said biscuit was not recovered in connection with the said case and the petitioner is stated be a goldsmith by profession.

Considering these facts, as well as petitioner's clean antecedent and his custody period, in the opinion of this Court the petitioner deserves the privilege of bail. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the In-charge Addl. Chief Judicial Magistrate,



Gopalganj in Hathua P.S Case No. 17 of 2022.

(Shailendra Singh, J)

s.hassan/-

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