

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19729 of 2022

Arising Out of PS. Case No.-415 Year-2020 Thana- CHAPRA TOWN District- Saran

JITENDRA SINGH SON OF LATE NAGESHWAR SINGH Resident of
Village - Rawal Tola Imamganj, P.s.- Chapra Town, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-08-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within one
month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offences punishable under Sections 448, 384, 504 and 506/34 of the
Indian Penal Code .

As per allegation, on 05th August, 2020 at 6 a.m,
informant's mother was at her house then accused persons including
the petitioner snatched away key of informant's house and took away
ornaments and cash of Rs 20,000/- from the Almirahs.

The main submissions advanced by Sri Harish Kumar, the
learned counsel appearing for the petitioner are that earlier informant
lodged Chapra Town P.S Case No. 190 of 2018 and thereafter her son
lodged the present case due to previous enmity and after arrest in
this case from the possession of the petitioner any of the looted



articles mentioned in the FIR has not been recovered. Though against petitioner, there is criminal antecedent of seven cases but he is on bail in all cases.

Learned APP Sri Harendra Prasad has opposed the prayer for bail.

Heard both sides and perused the FIR. FIR goes to show that at the time of institution of the case, there was no good relation in between the petitioner and the informant's family. The alleged occurrence is said to have taken place on 05.08.2020 but the informant lodged the FIR on 06.08.2020 and as per above submissions, after alleged occurrence, the police did not recover any looted article from the possession of the petitioner, though there is criminal antecedent of seven cases against him but he is on bail in all the said cases. As per petitioner's counsel investigation has been completed against the petitioner.

Considering these facts, petitioner deserves lenient approach of this court. 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 Chief Judicial Magistrate, Saran at Chapra in Chapra Town P.S Case No. 415 of 2020.

(Shailendra Singh, J)

s.hassan/-

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