

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24984 of 2022

Arising Out of PS. Case No.-369 Year-2021 Thana- BAJPATTI District- Sitamarhi

MANTU RAJ SONI Son of Late Dasrath Sha R/o Village - Sursand, P.S.-
Sursand, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bajpatti
P.S. Case No. 369 of 2021 registered for the offence under
Sections 399, 402, 413 and 414 of the Indian Penal Code and
25(1-b)A, 26 and 35 of the Arms Act and Sections 8, 20(b)(II)c
and 22 of the N.D.P.S Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.12.2021.

The allegation against the petitioner is to
receive/purchase stolen property from other co-accused persons.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by apprehended co-accused persons. It is submitted that apparently the petitioner was not participated in preparation as alleged to commit dacoity. It is also submitted that admittedly, petitioner runs jewellery shop and alleged recovery of silver chain without having any specifications cannot be said to be stolen property. It is further submitted that petitioner is involved in two(2) such similar nature of cases after being involved in present case. While concluding the argument, it has been submitted that investigation is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is running jewellery shop, as per FIR.

Considering the facts and circumstances as mentioned above, as alleged recovery of silver chain appears failed to connect petitioner in the dealing of stolen property, in the background of the fact that petitioner is running a jewellery shop coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bajpatti P.S. Case No. 369 of



2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Session Judge, Sitamarhi/concerned court, subject to the following conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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