

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37592 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- DARBHANGA District- Darbhanga

ADITYA KUMAR S/O ASHOK SAH R/O VILLAGE-BHUSHAN CHOWK
(REWARI DHALA), P.S-MUFFASIL, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navnit Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-04-2022 Heard Mr. Navnit Kumar, learned counsel for the

petitioner and Mr. Ram Sumiran Rai, learned Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with Town
PS Case No. 320/2020 registered for the offence punishable
under Section 395 and 397 of the IPC.

The prosecution story in a nutshell is that in the
morning of 09.12.2020 at about 10.35 AM, the informant
opened his jewelry shop, in the meantime, five miscreants
entered into the shop and on the gun point looted away jewelry,
cash etc., of Rs. 5.5 Crores and the petitioner was arrested from
a jewelry shop being run by his brother.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely



because his younger brother, Tarun Kumar has been running a jewelry shop in the name and style of Tarun Jeweler at Samastipur and at the time of raid by the police in the shop of his brother, Tarun Kumar, the petitioner was found sitting in the shop of Tarun Kumar. He further submits that the petitioner is a Central Government employee and has been working as Statistical Assistant in Purnea. The confessional statement of the brother of the petitioner was recorded by the police wherein he did not disclose the name of the petitioner. He further submits that the finding in the order impugned that the recovery has been made from the petitioner also, is an error of records and during course of investigation and in the case diary nothing has come against the petitioner to suggest that any jewelry or looted cash/article was recovered from the possession of the petitioner.

Learned counsel next submits that the petitioner having no criminal antecedent is in custody since 07.01.2021.

Regards being had to the submissions made by the parties and taking into consideration the fact that no looted article has been recovered from the possession of the petitioner, the petitioner having no criminal antecedent is in custody since 07.01.2021, petitioner is a Central Govt. employee and there is



no likelihood that the petitioner will abscond or will tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ADITYA KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Town PS Case No. 320/2020.

(Anil Kumar Sinha, J)

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