

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38213 of 2021

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

TARUN KUMAR @ BISHU @ BISHNU Son of Ashok Sah Resident of
Village- Lohagir, Police Station- Ujiyarpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jaggarnath Singh, Adv. Mr. Navnit Kumar, Adv.
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-04-2022 Heard Mr. Jaggarnath Singh, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, 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.

Learned counsel for the petitioner submits that the
petitioner has been running a jewelry shop and he has been
made an accused on the basis of confessional statement and on



the basis of recovery of 71 pieces of stolen/looted diamond as well as 60 Grams of gold biscuits etc., from the shop of the petitioner. However, the submission is that as per seizure made in the FIR 51 pieces of diamond were looted from the jewelry shop of the informant whereas 71 pieces of diamond has been recovered, as such, the same cannot be said to be the looted property.

Learned counsel next submits that the petitioner having no criminal antecedent is in custody since 07.01.2021 and the charge-sheet has been submitted in the matter. Learned counsel further submits that some of the accused persons, from whose possession recovery was made, have been granted bail by the learned lower court itself.

Regards being had to the submissions made by the parties and taking into consideration the fact that recovery of looted gold biscuits, diamond pieces have been made on the basis of confessional statement of the petitioner, accordingly, I find, *prima facie*, evidence against the petitioner and this Court is not bound by the order passed by the learned court below, I am not inclined to grant regular bail to the petitioner. The same is, hereby, rejected.

Petitioner, if so advised, may renew his prayer for bail



after six months from today, if the trial does not make any
substantial progress.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

