

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39413 of 2021

Arising Out of PS. Case No.-379 Year-2020 Thana- MAHUA District- Vaishali

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DHARMENDRA KUMAR SAH @ DHARMENDRA KUMAR S/O
SATENDRA SAH @ SAKINDRA SHAH R/o village- Birauli Khurd, P.S.-
Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-05-2022 Heard Mr. Ranjan Kumar, learned counsel for the

petitioner and Mr. Pramod Kumar Pandey, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Mahua
P.S. Case No. 379/2020 registered for the offence punishable
under Section 392 of the Indian Penal Code, 1860.

The prosecution case, as per the First Information
Report, is that on 3.7.2020 at about 7:30 PM while the
informant being the owner of the jewellery shop in the name
and style “*Hari Om Jewellers*” was going to close his jewellery
shop, four miscreants armed with pistol, revolver etc. entered
into the shop of the informant and looted gold, silver ornaments,
Rs.2000/ cash etc.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement recorded by the Police of the co-accused Rajesh Sahni. He further submits that co-accused Rajesh Sahni had committed a loot in a jewellery shop of the petitioner in the year 2014, for which, his brother-in-law namely, Chhotu Kumar had lodged First Information Report bearing Pusa P.S. Case No. 62/2014 against some miscreants and the Police during course of investigation found involvement of the co-accused Rajesh Sahni, due to which, he has falsely implicated the petitioner in his confessional statement. The petitioner has been running a jewellery shop and even taking into consideration the confessional statement of co-accused Rajesh Sahni, he has stated that the petitioner has purchased the looted gold and silver jewellery. No recovery of any looted property has been made from the jewellery shop of the petitioner. The petitioner is in custody since 8.2.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no looted article has been recovered from jewellery shop of the petitioner, the petitioner is in custody since



8.2.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 379/2020 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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