

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32862 of 2022

Arising Out of PS. Case No.-49 Year-2021 Thana- MEHUSH District- Sheikhpura

1. Satypal S/o Veer Singh Resident of Village- Ishapur, P.S.- Nigrhi, District-Shahjahanpur (U.P.)
2. Ompal S/o Jaypal Resident of Village- Ishapur, P.S.- Nigrhi, District-Shahjahanpur (U.P.)
3. Gyadeen S/o Bhikkam Resident of Village- Ishapur, P.S.- Nigrhi, District-Shahjahanpur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Senior Advocate
		Mr. Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-09-2022 Heard learned counsel appearing on behalf of the petitioners 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.

Learned counsel for the petitioners is permitted to correct FIR number in satisfaction portion of the present bail petition, during course of the day.

The petitioners seek bail in connection with Mehush P.S. Case No. 49 of 2021 registered for the offence under Sections 457, 380 and 411 of the Indian Penal Code.



The accused/petitioners are not named in the F.I.R. and are in custody since 24.12.2021.

The allegation against the petitioners is to commit theft in the jewellery shop of the informant, running in the style of M/s. Vaishnavi Jewelry Shop, and while committing so, taken away jewellery including personal ornament of wife of the informant, made up of gold weighing about 100gm.

Learned senior counsel appearing on behalf of the petitioners submitted that name of the petitioners surfaced during course of investigation, in the present case, on the basis of suspicion raised by unknown villagers, saying that occurrence might be committed by these petitioners, who belongs from one “*Guguliya*” community. It is also submitted that neither recovered jewellery nor above-named petitioners were put on TIP for identification by the informant. It is also submitted that matter has been compromised between the parties. It is also submitted that petitioners are man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly



conceded the fact that petitioners are not named in the FIR.

Considering the facts and circumstances as mentioned above, as material recovered was not yet put on TIP to connect these petitioners with the present set of occurrence, who are man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let these petitioners, above named, are directed to be released on bail in connection with Mehush P.S. Case No. 49 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

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

