

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49418 of 2021**

Arising Out of PS. Case No.-2 Year-2021 Thana- RAGHOPUR District- Supaul

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SOHEL KHAN @ BHUTU KHAN Son of Gyas Khan R/o Village-
Khuskibag, Ward No.4, Nageshwar Bagh, P.S.- Sadar, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, A.P.P.

For the Opposite Party/s : Mrs. Anita Kumari Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Raghopur P.S. Case No. 02 of 2021 instituted for the offences
under Sections 457 and 380 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 04.02.2021, charge-sheet has been
submitted and has antecedent of ten cases relating to five police
station of different districts. Learned counsel further submits
that from perusal of the criminal antecedent of the petitioner, it
would manifest that the petitioner has been implicated in cases
of similar nature and thus submits that once the petitioner came
to be implicated in the false case, thereafter the police at its will



has been implicating the petitioner in cases of similar nature. Learned counsel next submits that informant alleges that he received information from his cousin on 02.01.2021 that a theft has been committed in his house, accordingly, informant who was staying away from his house came and found that thieves after breaking open locks of three rooms committed theft of jewellery and cash worth Rs.2,00,000/-. Learned counsel also submits that petitioner is not named in the FIR and his name transpired in the confessional statement of co-accused Balram Chauhan. Learned counsel next submits that in similar manner the petitioner has been implicated in the aforesaid cases as mentioned in para 3 of the bail application. Learned counsel further submits that nothing has been recovered from possession of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, petitioner is not named in the FIR and his name transpired in the confessional statement of co-accused and nothing has been recovered from possession of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-Five Thousand) with two sureties



of the like amount each to the satisfaction of learned Additional
Chief Judicial Magistrate-I, Birpur in connection with Raghapur
P.S. Case No. 02 of 2021, with condition that one of the bailors
shall be the father of the petitioner, namely, Gyas Khan.

(Satyavrat Verma, J)

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