

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.119 of 2022

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

YOGIRAJ SHAMBHAJI JADHAV @ JOGESH SAMBHAJI @ YOGI RAI
SON OF SAMBHAJI DAGDU JAJHAV R/O- SANGOLA ATPADI ROAD,
JADAV BASTI, AJNALE, SANGOLA, P.S.- SOLAPUR TOWN THANA,
SOLAPUR, MAHARASHTRA PRESENTLY RESIDENT OF
MUNGERIGANJ, SONAR PATTI, P.S.- TOWN, DISTRICT- BEGUSARAI,
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigank Mauli, Sr. Adv.
Mr. Rajiv Kumar Singh, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-04-2022 Heard Mr. Mrigank Mauli, learned senior counsel
for the petitioner and Mr. Zainul Abedin, 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 senior counsel for the petitioner submits that



the petitioner has falsely been implicated in this case on the basis of confessional statement of a co-accused, Tarun Kumar. He further submits that the petitioner is a businessman and has been running a gold refining unit at Begusarai and on the basis of confessional statement some unrefined gold has been recovered from the unit of the petitioner and on the date of occurrence the petitioner was not available at Begusarai rather he was in Pune which would be evident from the ticket annexed as Annexure-2 to this application.

Learned counsel next submits that the petitioner having no criminal antecedent is in custody since 14.09.2021 and the charge-sheet has been submitted in the matter.

On the other hand, learned counsel appearing for the State submits that during course of investigation it has come to light that the petitioner is a habitual purchaser of illegal/stolen gold and the police has recovered 66.70 and 27.05 grams of unrefined gold and tunch gold from the shop of the petitioner and employee of the shop of the petitioner also said that the petitioner had purchased the stolen/looted gold from Tarun Kumar who is a co-accused in this case.

Regards being had to the submissions made by the parties and taking into consideration the recovery of unrefined



gold from unit of the petitioner which has allegedly been classified as stolen/looted gold by the Investigating Officer, I am not inclined to grant regular bail to the petitioner at this stage. 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)

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