

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20530 of 2023**

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

YOGIRAJ SHAMBHAJI JADHAV @ YOGESH SHAMBHAJI @  
YOGIRAJ S/O SAMBHAJI DAGDU JADHAV R/O VILLAGE-  
SANGOLA, P.S- SOLAPUR, DISTT.- SOLAPUR (MAHARASTRA) AT  
PRESENT MUNGERIGANJ, SONARPATTI, P.S- TOWN, DISTT.-  
BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Thakur  
Ms. Vaishnavi Singh  
For the Opposite Party/s : Mr. Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      17-05-2023                      Heard the parties.

Petitioner renews his prayer for regular bail in connection with Sessions Trial Case No. 177 of 2022 arising out of Town PS Case No. 320 of 2020 dated: 09-12-2020 registered under Section 395 / 397 of the IPC, charge sheet submitted under Section 395, 397, 412 of the IPC and Section 27 of the Arms Act inasmuch as earlier bail application of the petitioner was rejected *vide* Cr. Misc. No. 119 of 2022 by order dated 5-4-2022 granting liberty to the petitioner to renew his prayer for bail after six months if the trial does not make any substantial progress.

As per the allegation on 09-12-2020 in the morning



when the informant opened his jewelry shop, five miscreants entered into the shop and on gun point looted away jewelry , cash etc. of Rs. 5.5 Crores. The petitioner has been made accused in this case on the basis of recovery of gold from the shop of the petitioner weighing 66.70 & 27.05 grams being unrefined gold and tunch gold.

Learned counsel for the petitioner submits that while rejecting the bail application of the petitioner on 05.04.2022 this court granted liberty to the petitioner to renew his prayer or bail after six months if the trial does not make any substantial progress. Learned counsel further submits that petitioner is licensee goldsmith dealing in pure gold and he is registered under the Industry of Micro, Small & Medium Enterprises and is authorized to refine raw gold under the said license. He next submits that gold recovered from the shop of the petitioner was put on T.I.P. but neither the informant nor the witnesses identified the articles / gold which was allegedly recovered / seized from the shop of the petitioner. The petitioner is in custody since 14-09-2021 having no criminal antecedent.

This court vide its order dated 05-04-2023 called for a report from the court below regarding the present stage of the trial and in pursuance thereof learned Additional District &



Sessions Judge, Civil Court, Darbhanga has furnished the report vide letter no. 32 / 2023 dated 28-04-2023 and from perusal of the same it appears that out of eleven charge sheet witnesses only four witnesses have been examined.

Regard being had to the submission made by the parties, taking into consideration the fact that this is second attempt for bail on behalf of the petitioner, trial has not progressed substantially from the date of last rejection, the petitioner is in custody since 14/09/2021 as such I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000 /- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XI, Darbhanga in connection with Sessions Trial Case No. 177 / 2022 arising out of Town PS Case No. 320 of 2020.

**(Anil Kumar Sinha, J)**

praful/-

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