

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38856 of 2023

Arising Out of PS. Case No.-120 Year-2022 Thana- JHANJHARPUR District- Madhubani

Chandan Jha S/O Sanjay Jha R/O Dalasingsarai, V.I.P. Colony, Ward No. 2,
PS. Dalsingsarai, Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-07-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Jhanjharpur P.S. Case No. 120 of 2022, corresponding to
G.R. No. 1000 of 2022, registered for the offences
punishable under Sections 457 and 380 of the Indian Penal
Code.

The prosecution case as emerging from the FIR is
that the wife and parent of the informant went to Bangalore
for medical treatment of informant's father on 11.06.2022
and he entrusted one Bijay Kumar to guard his house. Later,
on 17.06.2022 his neighbor Sudhir Karn informed him that



all ornaments, Rs. 40,00,000/- and other important articles were stolen from his house.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in FIR and no TIP has been conducted till dated. He also submits that nothing has been recovered from the possession of the petitioner.

He further submits that the petitioner has been languishing in jail since 22.01.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in



the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. concerned Trial Court in connection with Jhanjharpur P.S. Case No. 120 of 2022, corresponding to G.R. No. 1000 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has



concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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