

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38754 of 2022

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

SUNIL KUMAR SHARMA Son of Late Jitendra Sharma Resident of Village
- Japhrabad, P.S.- Deshri, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Sessions Trial No. 280 of 2022
arising out of Hajipur Town P.S. Case No. 1052 of
2019 registered for the offence punishable under
Sections 395, 397, 412, 201 and 120(B) of the
Indian Penal Code.

The case of the prosecution, in brief, is
that on 23.11.2019 at about 12:35 P.M., 6-7
unknown miscreants had entered the Muthoot
Finance company branch at Hajipur and had looted
57.777 kg. of gold ornaments and cash amount of
Rs. 50,000/- on gun point as also had snatched the
mobile phones of the employee of the said



company.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner has been remanded in the present case on 26.11.2021. The petitioner is stated to be an accused in one another case, however, he is on bail in the said case. The learned counsel for the petitioner has also submitted that his name has been roped in the present case merely upon suspicion, however, the fact remains that the looted gold ornaments have not been recovered from the possession of the petitioner. It is next submitted that similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court. Lastly, it is submitted that though seven persons were identified in the C.C.T.V. footage to be the miscreants, who had committed the said dacoity in question, however, the petitioner is not one of them.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the petitioner has been identified to be the perpetrator of crime nor any looted gold ornament has been recovered from the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-V, Vaishali at Hajipur in connection with Sessions Trial No. 280 of 2022 arising out of Hajipur Town P.S. Case No. 1052 of 2019.

(Mohit Kumar Shah, J)

S.Sb/Saurav

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

