

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39326 of 2023**

Arising Out of PS. Case No.-89 Year-2022 Thana- DHANAHAN District- West Champaran

Shubham Chaurasiya, S/o- Vinod Chaurasiya Village- Sirsiya No-1, Ps-  
Rampur Karkhana Dist- Deoria U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shanti Bhushan Singh

For the Opposite Party/s : Mr. Nand Kumar

**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  
Dhanaha P.S. Case No.89 of 2022, registered for the  
offences punishable under Sections 395, 120(B) of the  
Indian Penal Code and 27 of the Arms Act.

The prosecution case as emerges from the FIR is  
that on 15.04.2022 at around 1:00 pm, six miscreants  
arrived on two motorcycles at the jewellery shop of the  
informant and looted 120 g gold, 6 kg silver and a cash of  
Rs. 80,000/-. Furthermore, they looted 400 g gold, 10 kg  
silver from the jewellery shop of the brother of the informant



as well.

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 the FIR. He also submits that no T.I.P has been conducted as yet. He further submits that the allegation against the petitioner is general and omnibus in nature.

He further submits that the petitioner has been languishing in jail since 05.04.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in three other cases.

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. J.M. 1<sup>st</sup> Class, Bagaha, West Champaran, in connection with Dhanaha P.S. Case No.89 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 get hampered 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 criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds 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 bonds 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)**

chandan/-

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