

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45161 of 2023**

Arising Out of PS. Case No.-738 Year-2022 Thana- AMARPUR District- Banka

RAHUL KUMAR SON OF SANJAY SAH RESIDENT OF VILLAGE-  
DUMRAMA, POLICE STATION- AMARPUR, DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      27-07-2023                      1.    Heard learned counsel for the petitioner and the  
learned APP for the State.

2. Petitioner seeks regular bail in connection with  
Amarpur P.S. Case No. 738 of 2022 dated 26.12.2022  
registered for the offence(s) punishable under Section(s) 406,  
420 and 379/34 of the Indian Penal Code.

3. The main submissions advanced by the learned  
counsel for the petitioner are that the petitioner has fair and  
clean antecedent and he has been languishing in jail since  
27.12.2022, against him the investigation has been completed,  
admittedly he was an employee in the shop of the informant  
when the alleged occurrence took place and in fact the petitioner  
worked in several goldsmith shops and used to take raw  
materials concern to the ornaments and thereafter made them



jewelleries at Bhagalpur and as per the allegation some ornaments were recovered from the possession of this petitioner and on that basis he was made accused in the present matter but most of the recovered ornaments are not the same ornaments as detailed in the FIR which supports the petitioner's defence as to his working at several shops and moreover the seized ornaments have not been put on Test Identification Parade till date and he has been roped in this case merely on account of the staff of the informant's shop.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent, his custody period and the completion of investigation against him and also the facts that as per above submissions, the seized ornaments which are allegedly seized from the petitioner's possession have not been put on Test Identification Parade by the police and petitioner works as goldsmith at several shops, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Amarpur P.S. Case No. 738 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount



each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

Sanjay/-

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