

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47047 of 2023**

Arising Out of PS. Case No.-619 Year-2022 Thana- RUPASPUR District- Patna

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Dhamendra Yadav @ Dharmendar Yadav @ Darmendar Rai @ Chhatu, S/o  
Bundelal Yadav, R/o B-Area, Mithapur (Behind) Dayanand Girls High  
School), P.S- Jakkanpur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      01-08-2023                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

2.                      The accused/petitioner seeks bail in connection  
with Rupaspur P.S. Case No.619 of 2022 registered for the  
offences punishable under Sections 457 and 380 of the Indian  
Penal Code.

3.                      The accused/petitioner is not named in the FIR and  
is in custody since 05.01.2023.

4.                      Allegation against the petitioner is to commit theft  
in the house of informant and while committing so, taken away  
31 different wearable items including diamond, gold, silver  
ornaments and cash of Rs.1 lakh, where list of all such items are  
the part of FIR itself.

5.                      It is submitted by learned counsel that petitioner



was remanded in this case from Gardanibagh P.S. Case No.588 of 2022 in the present case on the basis of suspicion as his mobile tower location was found near to place of occurrence, where during the course of investigation, nothing recovered/surfaced against this petitioner as to connect him *prima facie* with present occurrence of theft. While concluding argument, it is submitted that the petitioner found involved in one more criminal case, where he is on bail and moreover investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as save and except suspicion arises out of mobile tower location, nothing appears incriminating as to connect the petitioner *prima facie* with present occurrence of theft, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.01.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Judicial Magistrate-1st Class, Danapur, Patna in connection with Rupaspur P.S. Case No.619 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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