

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51622 of 2023

Arising Out of PS. Case No.-113 Year-2021 Thana- DERNI BAZAR District- Saran

JITENDRA KUMAR SON OF LATE NANDKISHOR SAH RESIDENT OF
VILLAGE JAHANGIRPUR, PS- SONEPUR, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 457, 380, 413, 414 and 411 of the Indian Penal Code.

It is a case of theft committed by some unknown persons at the house of the informant and the thieves took away ornaments worth Rs. 2 lakh and other valuable items. Co-accused Jyotish Kumar was arrested and he disclosed that he sold the stolen article to the petitioner and the same was seized from the his shop.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR nor put on TIP. There is no



eye witness of the alleged occurrence. His name has been surfaced in this case on the basis of confessional statement of apprehended accused Jyotish Kumar. In fact, petitioner is jeweller and he has purchased the alleged article for business purpose and invoice receipt is brought on record as Annexure-2. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 5.5.2022 passed in Cr. Misc. No. 70415 of 2021. Petitioner is languishing in judicial custody since 10.4.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial magistrate 1st Class, Saran at Chapra in connection with Derni PS Case No. 113 of 2021.

(Sunil Kumar Panwar, J)

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