

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49923 of 2022

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

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1. DEOLAL PASWAN SON OF LALCHAND PASWAN R/O VILLAGE-CHAKSAKRA, CHANDRALAY, P.S.- HAJIPUR SADAR, DISTRICT-VAISHALI
 2. LALMUNI DEVI WIFE OF DEOLAL PASWAN R/O VILLAGE-CHAKSAKRA, CHANDRALAY, P.S.- HAJIPUR SADAR, DISTRICT-VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with 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 petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case, are having a clean antecedent and they are languishing in custody since 13.06.2022. The learned counsel for the petitioners has also submitted that their name have been roped in the present case merely on suspicion, however, the fact remains that the looted gold ornaments have not been recovered from the possession of the petitioners. 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 petitioners are 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 petitioners and taking into account the materials available on record as also considering the fact that neither the petitioners have been identified to be the perpetrator of crime nor any looted gold ornament has been recovered from the petitioners, I deem it fit and proper to admit the petitioners to the privilege of bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Hajipur, Vaishali in connection with Hajipur Town P.S. Case No. 1052 of 2019.

(Mohit Kumar Shah, J)

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