

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70776 of 2022

Arising Out of PS. Case No.-514 Year-2021 Thana- GAYA MUFASIL District- Gaya

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VIKRAM GUPTA @ BALLU Son of Late Navin Gupta Resident of Village-
Badsahi Mandi Allahabad, P.S.- Kotwali, District- Prayagraj, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
		Mr. Priyesh Kumar, Advocate
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-04-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Gaya Muffasil P.S. Case No. 514/2021 registered for the offence(s) punishable under Section(s) 457 and 380 of the Indian Penal Code.

As per the prosecution, the informant alleged that some unknown miscreants committed theft in his shop and a cash of Rs.3,50,000/- and other articles made up of gold and



silver worth Rs.15-16 lacs, were stolen by them.

The main submissions advanced by the learned counsel for the petitioner are that as per the prosecution, the petitioner allegedly made an attempt to purchase the theft ornaments and allegation of theft is not against him and the same is against three co-accused persons, namely, Seva Singh, Chatram and Manish @ Giri who have been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 22701 of 2022. Further submission is that the petitioner was initially made accused in Manda P.S. Case No.145 / 2020 and thereafter eight other cases were lodged against him but he is on bail in all the cases and he has been languishing in jail since 19.07.2022 and he runs a jewellery shop and because of his business, he purchased the ornaments and the alleged act was done by him bonafidely.

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

In view of the facts, as stated above, and mainly considering the facts that three co-accused persons named above, who were carrying the allegation of theft of the alleged ornaments, have been granted bail by a co-ordinate Bench of this Court and as per the prosecution, the main allegation



against the petitioner is of having received the stolen ornaments from the said co-accused persons, though against him, there are criminal antecedents of several cases but as per above submission, he is on bail in all the said cases, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.50,000/-(Fifty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Gaya Muffasil P.S. Case No. 514/2021.

Further condition is that both the bailors must be local residents within the jurisdiction of the trial court having sufficient immovable property.

(Shailendra Singh, J)

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