

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59159 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- RAJPUR District- Rohtas

Dharmraj Paswan, Son of Sudama Paswan, Resident of Village- Barav, P.S.-
Nokha, District- Rohtas At Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Rajpur
P.S. Case No. 25 of 2022 registered for the offence under
Section 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 13.05.2022.

The allegation against the petitioner is to commit theft
alongwith other unnamed accused persons by dishonestly
breaking shade and fled away after taking jewelries made up of
gold and silver.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused persons, namely, Ram Babu Ram and Ram Niwas Chauhan, from where the maximum incriminating appears against the petitioner that the accused persons after or during the course of committing theft usually take shelter in the house of petitioner. It is submitted that the recovered jewelries and cash of Rs. 12,700/- belong to family members and petitioner, which is very common jewelries, generally remains in the use of the female members of the family. It is also pointed out that the said recovered jewelry was not put on TIP at yet, to connect this petitioner with present occurrence. It is submitted that petitioner named in 10 cases after present case, where in maximum of cases he is on bail, where his name also appears surfaced on the basis of confessional statement, as of the present case. While concluding the argument, it is submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, while opposing the prayer of bail fairly conceded that petitioner is not named in the FIR

Considering the facts and circumstances as mentioned above and by taking note of the fact, as alleged recovered



jewelry was not put on TIP to connect petitioner with present set of occurrence, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rajpur P.S. Case No. 25 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bikramganj, District-Rohtas/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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