

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69013 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- CHANAN District- Lakhisarai

SANJAY KUMAR Son Of Late Vishnu Sah Resident Of Village- Soda
Godawan Chowk, Ward No. 45, Chandwara, P.S.- Town, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-11-2023 1. Heard learned counsel for the Petitioner and
learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Chanan P.S. Case No. 23 of 2023 dated 17.02.2023 registered
for the offence punishable under Section 395 of the Indian Penal
Code.

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner has fair and clean
antecedent and runs a jewellery shop and he is not named in the
FIR and during investigation, the name of this petitioner
surfaced in the confessional statement of co-accused persons
and according to the said statement, the co-accused persons sold



the stolen jewellery at the shop of the petitioner and thereafter, the police raided the petitioner's shop and sealed the same but could not find the stolen jewellery and other articles in the said shop and in this regard the operative portion of the order impugned may be perused and petitioner is not stated to be a member of the accused persons who committed the alleged theft.

4. Though the learned APP appearing for the State has opposed the prayer for bail of the petitioner but fairly accepted that as per the order impugned, the stolen jewellery and other articles were not recovered from the shop of the petitioner.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and also the facts that the petitioner is not named in the FIR and he runs a jewellery shop and as per order impugned, the stolen jewellery is not stated to have been recovered from the shop of the petitioner, in my opinion, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two



sureties of the like amount each to the satisfaction of the Court concerned in connection with Chanan P.S. Case No. 23 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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