

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73367 of 2022

Arising Out of PS. Case No.-469 Year-2022 Thana- PATRAKARNAGAR District- Patna

Triloki Kumar Son of Baiju Sahni @ Vaiju Sahni R/o Nahar Road, Jatahi
Mandir, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Patrakarnagar P.S. Case No.469 of 2022 registered for the
offence under Section 395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.08.2022.

The allegation against the petitioner is to commit
dacoity alongwith other unknown co-accused persons and while
committing so took away cash of Rs.50,000/- (Rupees Fifty
Thousand), mobile phone and ornaments belongs to informant
and his family members.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced on the basis of



confessional statement of co-accused, namely Sonu Kumar @ Baba, where in furtherance of which no incriminating material recovered/surfaced to the extent, which may incriminate petitioner with the present occurrence. It is also submitted that alleged recovered mobile was purchased by petitioner in good faith and without having any knowledge that same is stolen. It is also submitted that merely on the ground of purchase of alleged stolen mobile the petitioner cannot be involved with present case, which not even put on identification. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer for bail fairly conceded that petitioner is not named in the F.I.R.

In view of the facts and circumstances as mentioned above as petitioner only appears to be the purchaser of mobile from one of the co-accused, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Patrakarnagar P.S. Case No.469 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 Chief Judicial Magistrate, Patna/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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