

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76427 of 2023

Arising Out of PS. Case No.-408 Year-2023 Thana- RAJGIR District- Nalanda

1. Arun Sah Son Of Nathuni Sah R/O Vill - Hiramia, P.S. - Rosera, Distt. - Samastipur
2. Sanjay Sah Son Of Gokul Sah R/O Vill - Hiramia, P.S. - Rosera, Distt. - Samastipur
3. Sanjay Sah Son Of Kari Sah R/O Vill - Dhaboulia, P.S. - Hasanpur, Distt.- Samastipur
4. Ajit Sah @ Operation Sah Son Of Rampukar Sah R/O Vill - Dhaboulia, P.S. - Hasanpur, Distt.- Samastipur
5. Ajit Sah @ Amarjeet Sah Son Of Ramudgar Sah R/O Vill - Chuchay Bharpura, P.S. - Bibhutipur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Rajgir P.S. Case No. 408 of 2023 registered under sections 379 and 414 of the Indian Penal Code.

Prosecution case relates to recovery of some jewellery, some smart phones and one keypad phone from the possession of co-accused person who was apprehended by the police he disclosed the name of other co-accused who also



involved in committing theft, thereafter, police reached at that hut and arrested several persons and also recovered some ornaments and other valuables articles.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted from para-10 of this petition that the petitioners were not apprehended at the place where the hut was situated and other co-accused persons apprehended rather the petitioners were arrested by the police from the road while they were returning after seeing Malmas Mela to Dharamshala. Nothing has been recovered from their conscious possession. They have no concern with the seized article or with the alleged occurrence, only on the basis of confessional statement of apprehended co-accused Indal Kumar before the police, they have been dragged in this case. It is also submitted that the alleged hut does not belong to these petitioners from where the recovery has been made. Moreover, the petitioners are languishing in judicial custody since 11.08.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and



considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Rajgir P.S. Case No. 408 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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