

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40694 of 2024

Arising Out of PS. Case No.-313 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Chandan Rajak Son of Late Ishwar Rajak Resident of village - Professor Colony, Naugachia, Ward No.- 18, P.S.- Naugachia, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Naugachia P.S. Case No. 313 of 2023 dated 18.09.2023, lodged under Sections 457 and 380 of the I.P.C.

3. As per the prosecution case, on 17.09.2023, the informant went to his daughter's house at Katihar locking his home. In the meantime, some miscreants came and broke the lock of informant's house and looted Rs.1,05,000/- cash, golden and silver ornaments and many precious articles. Informant got information from the villagers that one Chandan Rajak and Shivam were wondering around his house. The informant believed that Chandan Rajak and Shivam have committed theft.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He further submits that the name of the petitioner has figured in this case by virtue of suspicion. He further submits that nothing has been recovered from the possession of the petitioner rather the stolen articles have been recovered from one Akshay Kumar. The petitioner has no concern with the alleged crime. He is in custody since 04.11.2023 having five criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the petitioner have five criminal antecedent of similar nature.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

7. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail three months after framing of charge.

8. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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