

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40998 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- BANIAPUR District- Saran

Chandan Kumar Ojha Son of Late Viseshwar Ojha @ Bisheshwar Ojha
Resident of Village - Chakpir, Sarmi, Police Station - Sahajitpur (Baniyapur),
District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Baniyapur P.S. Case No. 49 of 2024 registered for the

offences under Sections 461 and 379 of the Indian Penal

Code.

3. The petitioner is not named in the F.I.R. and

is in custody since 18.04.2024.

4. The allegation against the petitioner is to

commit theft of three *ashtadhatu* idols made of



god/goddess Ram, Laxman, Sita and Krishna Ji.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced in the present case on the basis of suspicion arising out of self-confession. It is pointed out that petitioner was remanded in this case from the Baniyapur P.S. Case No. 80 of 2024, where he is on bail. It is further submitted that, in furtherance of self-confession no incriminating material recovered from the possession of this petitioner as to connect him with the present, crime in question. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument it is submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as save and except suspicion arising



out of self-confession nothing incriminating recovered from the possession of this petitioner as to connect him with the crime in question, coupled with the fact as petitioner is in custody since 18.04.2024, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Baniyapur P.S. Case No. 49 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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