

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55035 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- NAYAGAON District- Saran

Saurabh Kumar @ Saurabh Singh Son of Akhilesh Kumar Singh @ Nalini Kumar Singh R/o Village and P.S.- Bheldi, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 27-09-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Nayagaon P.S. Case No. 198 of 2023 registered for the offence
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, two unknown
criminals looted one golden chain from the informant who was
going to Bela Wheel Factory. Petitioner has 18 criminal
antecedents.

4. By order dated 20.08.2024, a legible xerox copy of
the case diary was called for. The case diary was received but
the supplementary case diary was not received and therefore the
following order was passed on 25.09.2024:-

“Heard the parties.



2. As per the prosecution case, two unknown criminals have looted one golden chain from the informant, who was going to Bela Wheel Factory.

3. The name of the petitioner has come during investigation and the petitioner is in jail since 6.2.2024.

4. The petitioner has given self inculpatory statement that he had sold the golden chain but the locket which was there with the golden chain which is kept in a bag in his house.

5. During investigation, the superior officer has directed the investigating officer to recover the locket but from the case diary, it appears that till the submission of charge-sheet, the investigating officer has not taken any step for recovery of the locket and it seems that the investigating officer of this case is a negligent officer.

6. The investigating officer of the case is directed to appear in the Court personally to assist this Court on 27.09.2024.

7. List this case on 27.09.2024. 8. Let a copy of this order be communicated to the Superintendent of Police, Saran at Chhapra through FAX for its compliance. Mr. Jharkhandi Upadhyay, learned APP will take necessary instructions in this case."

5. Pursuant to the order dated 25.09.2024, the I.O. has appeared and has said that in the supplementary case diary it has come that the locket which was there with the golden chain looted from the informant has been recovered from the house of the petitioner as per the statement of the petitioner.

6. In view of the recovery of the looted article from the house of the petitioner as per his statement and also considering the criminal antecedents of the petitioner, I am not inclined to grant bail to the petitioner.

7. Accordingly, this application for regular bail is dismissed.



8. As the case has been disposed of, the personal appearance of the I.O. is dispensed with.

9. The Superintendent of Police, Saran is directed to see to it that henceforth the case diary is called for by this court, any supplementary case diary which may be available in the case should also be sent by the district police.

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

