

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78 of 2024

Arising Out of PS. Case No.-92 Year-2022 Thana- NAANPUR District- Sitamarhi

1. Rausan Singh, S/O Ram Niwas Singh, Resident of Dhanupura, P.S. Kadar Chok, Dist. Badayu, U.P.
2. Rajesh Singh, S/O Ghanpat Ji, Resident of Dhanupura, P.S. Kadar Chok, Dist. Badayu, U.P.
3. Bhagi @ Bhagirath Jatt S/O Jagdish Jatt, Resident of Dhanupura, P.S. Kadar Chok, Dist. Badayu, U.P.
4. Kailash Bhati S/O Om Prakash Bhati, Resident of Dhanupura, P.S. Kadar Chok, Dist. Badayu, U.P.
5. Ghanshyam Jatt S/O Devkan Jatt, Resident of Dhanupura, P.S. Kadar Chok, Dist. Badayu, U.P.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikalp, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

10 23-08-2024 1. Heard learned counsel appearing on behalf

of the petitioners and learned APP appearing on behalf

of the State.

2. The petitioners seek bail in connection with

Nanpur P.S. Case No.92 of 2022 registered for the

offence under Sections 457 and 380 of the Indian Penal

Code.

3. The accused/petitioners are not named in the



F.I.R. and are in custody since 17.05.2022.

4. The allegation against petitioners is to commit theft in the jewellery shop and while committing so taken away 7.5 kg silver jewellery, 450 grams gold jewellery and cash of Rs.47,000/- alongwith other unknown co-accused persons on intervening night of 02.03.2022.

5. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have been falsely implicated in the present case, where their name surfaced on the basis of confessional statement of co-accused. It is submitted that in furtherance of self-confession petitioners were remanded in the present case from Sitamarhi P.S. Case No. 228 of 2022. It is also submitted that one of the reason for suspicion is criminal antecedents of the petitioners, as they found involved in five more criminal cases, having otherwise no legal bearing over the merit of the present case. It is also submitted that petitioners were not put on T.I.P. as



yet and no incriminating materials recovered from them.

While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already 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 and by taking note of the fact that nothing incriminating recovered/surfaced from possession of these petitioners, coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 17.05.2022, accordingly petitioners, above named, are directed to be released on bail in connection with Nanpur P.S. Case No. 92 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi/concerned court, subject to the conditions as



mentioned under Section 437(3) of the Cr.P.C. with further conditions :-

(i) That petitioners shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioners.

(ii) Accused/Petitioners shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioners duly supported by the documents.



(iii) That one of the
bailors shall be deponent of the
present bail petition.

(Chandra Shekhar Jha, J)

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