

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15071 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Kundan Chauhan @ Kundan Kumar, aged about 46 years, Gender-Male, S/O Late Awadhesh Chauhan, R/O Village- Mohanpur, P.S.- Sarmera, District-Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party : Mr. Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 07-05-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sheikhpura Town P.S. Case No. 239 of 2024 dated 31.05.2024 registered for the offences punishable under Sections 379, 406, 409, 420, 201 and 120B of the I.P.C.

3. As per the prosecution case, the F.I.R. named accused persons alongwith some unknown persons are alleged to have committed theft and misappropriated gold worth Rs. 1.52 Crore which was deposited in the bank.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name



has surfaced in the present case during the course of investigation on the basis of the confessional statement of the co-accused Sunil Kumar which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from his possession. The petitioner has no concern with the alleged offence. It is further submitted that the other co-accused persons, Sunil Kumar and Ajay Kumar Rajak have already been granted bail by a Bench of this Court in Cr. Misc. Nos. 61964 of 2024 vide order dated 28.03.2025 and 60736 of 2024 vide order dated 18.10.2024, annexed as Annexures-P/3 and P/4 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 28.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sheikhpura in connection with Sheikhpura P.S. Case No. 239 of 2024 with further condition:-



I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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