

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88698 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- WARISNAGAR District- Samastipur

Dharmendra Sah @ Dharma, S/o Late Hari Krishna Sah @ Harekishun Sah,
R/o Village- Belari, P.S.- Ujiarpur, District- Samastipur, Bihar- 848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Warisnagar (Mathurapur) P.S. Case No. 435 of 2023, registered for the alleged offences under Sections 457 and 380 of the Indian Penal Code.

3. As per prosecution case, a theft was committed in the dwelling house of the informant and the thieves took away gold jewellery worth Rs.7,50,000/-, silver jewellery worth Rs. 40,000/- and cash amounting to Rs. 3,40,000/- from the house of the informant. The name of the petitioner transpired during investigation as one of the accused persons involved in the theft.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as his



name transpired in this case on the basis of confessional statement of co-accused Mukesh Kumar. Except for this confessional statement, there is no material against the petitioner and alleged recovery of cash of Rs.21,000/- from the house of the petitioners is false and concocted. The petitioner is having antecedent of four cases and he is on bail in all those cases. The petitioner is in custody since 07.06.2024 in this case and charge sheet has been submitted.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Warisnagar (Mathurapur) P.S. Case No. 435 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) The petitioner will not indulge in similar type of offences in future.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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