

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90298 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- DARBHANGA District- Darbhanga

Sunil Sah S/O Suresh Sah Resident of Village- Allapatti, Police Station-
Benta, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 179 of 2024 instituted for the offences under
Sections 331(4) and 305(a) of the Bhartiya Nyaya Sanhita.

3. The prosecution case, in short, is that on
28.08.2024 in the night, some unknown persons committed
theft in the house of the Informant and stole four mobile
phones and some ornaments along with cash of Rs. 5,000/-
of her daughter.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of confessional statement of the co-accused Rakesh Sah who has confessed of selling the ornaments at the shop of the petitioner in lieu of Rs. 30,000/-. He further submits that save and except confessional statement of the co-accused, there is nothing adverse against the petitioner which proves his being indulged in the present case. He further submits that the petitioner runs a jewelry shop and had no knowledge that the jewelry purchased by him is the stolen one. The petitioner has no concern with the alleged occurrence of theft. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the



petitioner and the petitioner having no criminal antecedent,
let the petitioner, abovenamed, be released on bail on
furnishing bail bonds of Rs.10,000/- (Ten thousand) with two
sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Town P.S. Case
No. 179 of 2024.

(Rudra Prakash Mishra, J)

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