

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80634 of 2018

Arising Out of PS. Case No.-356 Year-2018 Thana- BAKHTIYARPUR District- Patna

Santosh Kumar, aged about 25 years, son of Late Shyam Babu Das, resident of Mohalla Lohanipur, J P Gali (Patna), PS Kadamkuan, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun, Advocate

For the Opposite Party/s : Mr. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioner. Petitioner is in custody in connection with Bakhtiyarpur PS Case No. 356 of 2018 for the alleged offence under Section 401/414 of the Indian Penal Code.

Referring to the prosecution case, learned counsel representing the petitioner submits that the police on information entered the house of Raj Kumar where the petitioner along with others was present. On search, huge quantity of illicit articles were seized suspected to be stolen. Learned counsel for the petitioner submits that recovery was made from the house of Raj Kumar and not from the physical possession or from the house of the petitioner. He further



submits that similarly circumstanced co-accused was granted bail by a co-ordinate Bench of this court in Cr. Misc. No. 68495 of 2018 vide order dated 30.11.2018. Petitioner is in custody since 11.07.2018 and he has no criminal antecedent.

Considering the totality of the fact situation and also the fact that the co-accused has already been released on bail, this application is allowed. Let the petitioner, above named, 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 the Addl. Chief Judicial Magistrate, Barh (Patna) in connection with Bakhtiyarpur PS Case No. 356 of 2018.

(Anil Kumar Upadhyay, J)

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