

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28456 of 2021

Arising Out of PS. Case No.-61 Year-2020 Thana- BARUN District- Aurangabad

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Santosh Paswan Son of Sri Prakash Paswan @ Om Prakash Pawan Resident
of Village- Peelchie, P.S.- Daudnagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-12-2021 Learned counsel for the petitioner, at the outset, seeks
permission to rectify the pleadings made in the prayer portion of
the bail application.

Permission is accorded.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barun P.S. Case No. 61 of 2020 instituted for the offences under
Sections 457, 380 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.03.2020 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that
allegation is of committing theft in the shop of the informant and
various articles as detailed in the F.I.R. are alleged to have been



stolen.

Learned counsel for the petitioner submits that the name of this petitioner came on the confessional statement of co-accused Ramesh Kumar. Learned counsel further submits that from house of this petitioner Vivo mobile, Rs. 1,00,000/- and an iron *khanti* was recovered. It is further submitted that Vivo mobile was not stolen one. Further, the money recovered was of this petitioner and the investigation does not remotely suggest that the iron *khanti* which is alleged to have been recovered was used in committing theft.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 21.03.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 61 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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