

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31003 of 2021

Arising Out of PS. Case No.-29 Year-2021 Thana- TARAIIYA District- Saran

1. Santosh Kumar Singh S/O Sivkumar Singh R/O Village-Pachvinda, P.S.-Taraiya, District-Saran At Chapra.
2. Vivek Kumar Sah S/O Lalan Prasad Sah R/O Village-Belhari, P.S.-TARAIIYA, District-Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2021

Heard.

The petitioners seek regular bail in connection with Taraiya P.S. Case No. 29 of 2021 for the offence punishable under Sections 406, 420 and 120(B) of the Indian Penal Code.

The petitioners are alleged to have sold the stolen iron rods which were being carried on a truck from Patna to Jalalpur. It is further alleged that the stolen iron rods were recovered from the shop of the co-accused person namely Nayak Kumar Singh and on his confessional statement, the name of the petitioners has transpired in the present case to be the person who had sold the stolen iron rods.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and are languishing in custody since 31.01.2021. The learned counsel for the petitioners has further submitted that the co-accused person from whose shop the stolen iron rods have been recovered, has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.10.2021 passed in Cr. Misc. No. 35583 of 2021.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are having a clean antecedent and no stolen iron rods have been recovered either from their possession or from their house, I deem fit and proper to I deem it fit and proper to direct for release of the petitioners on regular bail..

Accordingly, the petitioners, above named, are directed to be released on regular bail on furnishing bail-bonds



of Rs. 10,000/- each with two sureties of the like amount each to
the satisfaction of learned A.C.J.M., Saran at Chapra in
connection with Taraiya P.S. Case No. 29 of 2021.

(Mohit Kumar Shah, J)

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