

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48932 of 2021**

Arising Out of PS. Case No.-339 Year-2020 Thana- MAHNAR District- Vaishali

SATISH KUMAR Son of Dharmveer Ray Resident of Village- Naya Tola  
Dedoor, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      13-01-2022      The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Mahnar P.S. Case No. 339/2020, registered for the offence punishable under Sections 363 and 365 of the Indian Penal Code.

The case of the prosecution is that while the informant along with his wife and son was



sleeping in his house, unknown miscreants had entered the house and lifted his child aged about 10 months by unlocking the house and had fled away with the said child. It is alleged that the stolen child was subsequently recovered from the possession of the co-accused person, namely, Sohrayi Paswan.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 10.12.2020. The learned counsel for the petitioner has further submitted that the co-accused person, from whose possession the child has been recovered, has already been granted bail by a coordinate Bench of this Court vide order dated 23.11.2021 passed in Criminal Miscellaneous No. 25941 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a coordinate Bench of this Court, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hajipur at Vaishali in connection with Mahnar P.S. Case No. 339 of 2020.

**(Mohit Kumar Shah, J)**

Ajay/-

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