

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73666 of 2022

Arising Out of PS. Case No.-44 Year-2022 Thana- PANDARAK District- Patna

SANTOSH KUMAR @ UDAY S/o Ayodhya Prasad R/v- Mehmaparsapar,
P.S.- Karaipasurai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Pandarak P.S. Case No. 44 of 2022 registered for the offence punishable under Section 379 of the Indian Penal Code.

The allegation is regarding the buffaloes of the informant having been stolen in the night of 01.04.2022, by unknown miscreants.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 27.08.2022. The learned counsel for the petitioner has further



submitted that the buffaloes in question have already been recovered in another case i.e. Chandi P.S. Case 131 of 2022, in which petitioner is also an accused, however, he has been granted bail in the said case. Lastly, it is submitted that the co-accused person has also been granted bail by a co-ordinate Bench of this Court vide order dated 21.12.2022 passed in Criminal Miscellaneous No. 49186 of 2022.

Per contra, the learned A.P.P. 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 been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named,



is directed to 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 learned Judicial Magistrate-1st class, Barh, Patna in connection with Pandarak P.S. Case No. 44 of 2022.

(Mohit Kumar Shah, J)

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