

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30192 of 2024

Arising Out of PS. Case No.-839 Year-2023 Thana- BARH District- Patna

Radheshyam Kumar SON OF Sukhdev Mahto @ Sukhdev Prasad
RESIDENT OF VILLAGE- RAILLI, PS - NTPC, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 839 of 2023 instituted for the offences under
Sections 379 and 414 of the Indian Penal Code.

3. As per prosecution case, there has been recovery of
10 piece of aluminium section pipe, 23 piece aluminium sheet
and other articles from a Tempo as detailed in the seizure list.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is neither the driver nor the owner of the
seized tempo in question. No incriminating article has been
recovered from the conscious possession of the petitioner.



Charge-sheet has been submitted in this case. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. The petitioner is in custody since 01.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 839 of 2023.

(Rudra Prakash Mishra, J)

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