

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32446 of 2024**

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

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Satish Kumar Son Of Sanjay Prasad Village -Dyachak, P.S.- Barh, District  
-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate

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

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

ORAL ORDER

2      30-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

3. The prosecution case, in short, is that, 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. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. It is submitted that



the co-accused hired the tempo of the petitioner for carrying the scrape. The petitioner is in custody since 01.01.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a this Court vide order dated 22.04.2024 passed in Cr. Misc. No. 30192 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees 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)**

Rajorshi/-

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