

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31705 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- OBRA District- Aurangabad

Sanjay Kumar Son of Late Vinod Malakar Resident of Village- Raja Bigha ,
P.S- Rafiganj, Dist- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

**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 Obra P.S. Case No. 45 of 2024, G.R. No. 130 of 2024, instituted for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, paddy was being stolen by someone as such he installed CCTV camera in his godown. A tempo was seen in the CCTV footage and on that basis the accused persons including the petitioner was apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner is neither owner nor driver of the tempo. Twenty bags of paddy have been recovered from the shop of co-accused Pramod Kumar. Except CCTV footage there is nothing alleged against the petitioner. The petitioner is in custody since 09.02.2024 and has got no criminal antecedent.

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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Obra P.S. Case No. 45 of 2024, G.R. No. 130 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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