

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30964 of 2015

Arising out of PS.Case No. -2 Year- 2015 Thana -WEST CHAMPARAN GRP CASE District-
WEST CHAMPARAN(BETTIAH)

Pankaj Kumar @ Pankaj Kumar Tiwari, Son of Rudradeo Tiwari, resident
of village - Chatragya, Police Station - Harsidhi, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Y.V. Giri, Sr. Advocate.

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2015 The petitioner is apprehending his arrest in connection
with Rail Motihari P.S. Case No. 02 of 2015 for the offences
instituted under Sections 365, 379, 419 and 120(B) of the Indian
Penal Code and corrected vide order dated 18.05.2015, Sections
365, 412 and 120(B) of the Indian Penal Code.

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

The prosecution story, in brief, is that the informant is
an employee of New G.K. Jewellers, Kolkatta. On 29.01.2015, he
came to Motihari by Mithila Express and supplied ornaments in
the shops of market and also took delivery of gold, gold biscuit,
ornaments and also collected cash and thereafter proceeded from



Motihari by Purvanchal Express. After a stoppage, four persons entered into the compartment of the informant and one of them assaulted him on the back side of his head and they enquired about his bag and one of them took away his bag and rest three persons gave their identity as G.R.P. and got down him from the train. They called a person, who came with a black colour motorcycle and thereafter got seated the informant on the said motorcycle. In the meantime, the police came and the person who had come with motorcycle was caught and other persons managed to flee away. The apprehended persons disclosed his name as Sanju Kr. Nishad and also disclosed the name of the petitioner and other co-accused persons, who were involved in the said offence.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It has further been submitted that the petitioner is not named in the F.I.R. and his name has come in course of investigation. It is further submitted that there is no recovery of any incriminating article from possession of the petitioner. The victim is said to have been recovered.

On behalf of the State it has been admitted that the petitioner is not named in the F.I.R. and his name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Rail Motihari P.S. Case No. 02 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)