

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25411 of 2015

Arising Out of PS.Case No. -46 Year- 2010 Thana -BUXAR INDUSTRIAL District- BUXAR

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Raju Tiwari Son of Late Lalan Tiwari Resident of Village- Asha Parari ,
P.S.- Simri , District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

For the Opposite Party/s : Mr. Uday Chandra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 The petitioner is in custody since 9.10.2013 in Buxar (Ind.)

P.S. Case No.46/10 for the offence under Section 395 of the I.P.C.

Heard learned counsel for the petitioner as well as learned

Additional Public Prosecutor for the State.

The prosecution case, in brief, is that while the informant

was going on his motorcycle on 7.7.2010 at 6.15 P.M. one

unknown person tried to take lift from him. The informant stopped

and picked up the said person and as soon as he went 500 yards

ahead five persons started chasing the informant by two

motorcycles. Two of them stooped the informant and one person

came down pointing pistol snatched Rs.3000/- and mobile of the

informant. They also snatched articles and money from another

person as well as the motor cycle of the informant. Three persons

were standing there in which one person was identified by the informant as Raju Tiwari. They fled away towards Simri.

On behalf of the petitioner it has been submitted that he is in custody since 9.10.2013. He has been implicated falsely in the present case due to mistake of fact. There is no recovery of any incriminating article from the possession of the petitioner

It is submitted on behalf of the State that the petitioner is named in the F.I.R.

Considering the fact that the petitioner is in custody since 9.10.2013, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.D.J. IVth, Buxar, in Buxar(1) P.S. Case No.46/10 corresponding in Session Trial No.307/10 + 119/14 + 129/11.

(Sudhir Singh, J)

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