

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54749 of 2016

Arising Out of PS.Case No. -109 Year- 2016 Thana -GAYA KOTWALI District- GAYA

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NIRANJAN TIWARI @ CHOTU MIAN @ CHOTU, Son of Late Raj
Kumar Tiwari, Resident of village – Bankey Gali (Panchayati Akhara),
P.S.- Kotwali, District – Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application for grant of regular bail for
offences punishable under Section 395 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner has not been named in the First Information Report.
Petitioner's name transpired only on the basis of confessional
statement made by the co-accused. It is also submitted that the
petitioner has not been put to Test Identification Parade and
nothing has been recovered from the possession of the petitioner
and he has been in judicial custody since 05.09.2016. It has further
been submitted that other co-accused person having similar
allegation has already been granted the privilege of bail by this
Court vide order, dated 13.12.2016, passed in Criminal



Miscellaneous No. 52542 of 2016.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that petitioner's name surfaced in this case only on the basis of confessional statement of co-accused and there is no recovery from the possession of the petitioner and also that other co-accused having similar allegation has been granted the privilege of bail, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 109 of 2016.

(Vinod Kumar Sinha, J)

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