

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4688 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -PIRBAHOR District- PATNA

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1. Rupesh Kumar Tiwari @ Rupesh Kumar S/o Late Devendra Tiwari,
Resident of Village- Nakhas Chauk Konhara Road, P.S.- Hajipur Town,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 Heard the parties.

This application has been filed in connection with 98 of 2016 for the offence under Sections 302/34 of the Indian Penal Code with 27 of the Arms Act.

It is submitted on behalf of the petitioner that he is in custody since 25.04.2016. Nothing has come against the petitioner except that co-accused has taken his name in his confessional statement and the other co-accused persons, having similar allegation, have been granted bail by this court, vide order dated 10.02.2017 passed in 50030 of 2016, dated 28.11.2016 passed in Cr. Misc. No.37848 of 2016, dated 04.02.2017 passed in Cr. Misc. No. 2438 of 2017 dated 13.02.2017 passed in Cr. Misc. No.2940 of 2017 and dated 05.12.2016 passed in Cr. Misc. No.43747 of



2016.

Heard learned A.P.P. also, who does not controvert the aforesaid fact.

Having heard both sides. In view of the fact that except the confessional statement of the other co-accuse, who has taken name of the petitioner, there is nothing against this petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Patna in connection with Pirbahore P.S.Case No.98 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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