

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7193 of 2017

Arising Out of PS.Case No. -224 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

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Prakash Tiwary @ Vikash Kumar, son of Dhupendra Tiwary, Resident of
Village- Gopalpur, P.S.- Bhagwanpur Hat, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
05.11.2016 in connection with Maharajganj P.S. Case No. 224 of
2016 registered for the offence punishable under Sections 379,
411 and 511 of the Indian Penal Code.

The prosecution case is that informant having parked
his motorcycle went to the clinic of Dr. Ajay Kumar and when he
came out of the clinic, he saw that one person is starting his
motorcycle on which he raised alarm. Thereafter, he was caught
by the people assembled there and produced before the police. On
query, he disclosed his name as Prakash Tiwary @ Vikash Kumar.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has not committed any offence. It has further been submitted that there was no allegation that the petitioner has stolen the motorcycle and he was just a passerby and has been falsely implicated in the aforesaid case only on the basis of being accused in three earlier cases of similar nature.

However, learned A.P.P. for the State submits that the petitioner has been apprehended and is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 224 of 2016, subject to the condition that the petitioner will appear before the Police/ Court on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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