

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47794 of 2017

Arising Out of PS.Case No. -216 Year- 2017 Thana -SONEPUR District- SARAN

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Rupesh Kumar Tiwary, S/o Late Devendra Tiwary, Resident of Village-
Lalganj Rikhra Malang, Police Station- Lalganj, District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhimanyu Sharma, Advocate.

For the Opposite Party : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 12.06.2017 in connection with Sonapur P.S. Case No. 216 of 2017 for the offences alleged under Sections 399, 402/34 of the Indian Penal Code and Section 25(1-b), (a) and Section 26 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of one country made pistol from his possession. Similarly situated co-accused Chandan Sah @ Chandan Saw @ Piyush Gupta has been granted bail by this Court in Cr. Misc. No. 46344 of 2017. Another co-accused Pappu Rai @ Pappu Kumar @ Papu Kumar has been released on bail after submission of charge sheet in terms of the order in Cr. Misc. No. 42419 of 2017. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra, in connection with Sonepur P.S. Case No. 216 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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