

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48121 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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1. Raja Tiwari S/o Arun Tiwari, R/o Village- Singhiya Kamalpur, P.S.-
Biddupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kasim Bazar
P.S. Case No. 80/2016 for offences punishable under Section
394 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he being a driver along with Accounts Clerk had
withdrawn Rs. 10 lakhs, two miscreants snatched the said
amount.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and is languishing in judicial custody since 24.07.2017.



He submits that no T.I. Parade has been done so far and charge-sheet has already been submitted. He further submits that his name surfaced only on the confessional statement of co-accused Kundan Tiwary along with five others and one of the co-accused has been granted privilege of bail by the learned court below itself. It is further submitted that although there is one case against him, but he has been acquitted in the said case on 14.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Kasim Bazar P.S. Case No. 80/2016, subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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