

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51002 of 2017

Arising Out of PS. Case No.-171 Year-2017 Thana- ANDER District- Siwan

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1. Binas Tiwari Son of Rajesh Tiwari
 2. Suresh Tiwari Son of Rajesh Tiwari Both are residents of Village Maniyar, P.S. Maniyar, District - Balia, State - U.P.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Pandey

For the Opposite Party/s : Mr. SRI AMITESH KUMAR

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 20-11-2017 Heard both sides.

The two petitioners pray for grant of bail in Andar P.S. Case No. 171 of 2017 registered under sections 379 and 411 IPC.

The informant was robbed of his cash while returning from the bank. A chase was offered and both the petitioners were apprehended. From petitioner no.2 the looted amount was recovered.

It is stated that both the petitioner have no criminal antecedents. There is a discrepancy in the seizure memo prepared and attached to the FIR. The petitioners are in custody since 29.08.2017.

Counsel for the State opposed the prayer and submitted



that recovery of the looted cash was made from petitioner no.2.

Considering the submissions made at Bar, the prayer for bail made on behalf of petitioner no.2 Suresh Tiwari is rejected.

Let petitioner no.1 Binas Tiwari be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ACJM-IX, Siwan in Andar P.S. Case No. 171 of 2017 on condition that one of the bailors shall be his own/close family member.

Petitioner no. 2 Suresh Kumar may, however, renew his prayer for bail after 07 months which shall be considered and disposed of by the court below on its own merit in accordance with law uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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