

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8048 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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MANINDRA TIWARI @ MANINDAR TIWARI, Son of Vipin Tiwari,
R/o- village- Thakaraha, P.S.- Thakaraha, West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 23-02-2017

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Thakraha Police Station Case No. 145 of 2016, disclosing offences under Sections 47 of the Bihar Excise Amendment Act, 2016.

Learned counsel for the petitioner has submitted that in fact the petitioner has not been named in the F.I.R. and mere on the basis of confessional statement of co-accused, Nitesh Tiwary, who has been arrested on the spot, petitioner, who is said to be the owner of the alleged hut, has been implicated in this case. Nothing has been recovered from the conscious possession of this petitioner, which is evident from seizure list. Neither the alleged hut belongs to this petitioner. Except



confession of the co-accused, nothing is available on the record to prove the implication of this petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released 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, Bagha, West Champaran in connection with Thakaraha Police Station Case No. 145 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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