

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50019 of 2017

Arising Out of PS.Case No. -267 Year- 2017 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Ravi Kant Tiwary @ Murarji Tiwary S/o Akhilesh Tiwary, R/o Village-Harpur Kothi, P.O.- Panditpur, P.S.- Janta Bazar, District- Chapra, at present New Bypass, Jaganpura, Brahmpur Road in the House of Asha Devi, P.S.- Ram Krishna Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-10-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with Chandi P.S. Case No. 267 of 2017 for the offences punishable under Sections 420, 413, 414/34 of the Indian Penal Code.

The case of the prosecution is that upon secret information that some accused persons were engaged in selling of stolen motorcycle, raid was conducted and three accused persons were apprehended and also stolen bikes were recovered at the instance of the said three accused persons and other motorcycles were recovered from other place and in their confessional statement, they also disclosed the name of the petitioner. Subsequently, raid was conducted in the house of the petitioner,



but nothing was recovered.

The learned counsel for the petitioner submits that the petitioner is a police constable and he was posted at Dhanuki More, Patna and was on duty at the time of alleged raid in his house, hence he was not present at that point of time. The petitioner has a clean antecedent and has been falsely implicated in the present case on account of enmity with the Investigating Officer of this case on account of earlier dispute while the Investigating Officer and the petitioner were posted at Nalanda. The learned counsel for the petitioner further submits that the petitioner being police personnel is not likely to abscond or tamper with the evidence.

In the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner, above named, on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Chandi P.S. Case No. 267 of 2017.

(Mohit Kumar Shah, J)

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