

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20589 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -GORIAKOTHI District- SIWAN

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Ajit Kumar Tiwary @ Ajit Raj Tiwary @ Ajit Ranjan Son of Late Mukesh Tiwary, Resident of Village- Manikpur Pakari, P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 12-06-2017 Heard learned counsels for the petitioner and the State.

The petitioner apprehends his arrest in connection with Goriakothi P. S. Case No. 26 of 2016 instituted under Sections 323, 406, 419, 420, 467, 468, 504/34 and 120B of the Indian Penal Code.

The allegation, in brief, is that accused persons Raj Mangal Pandey and Jail Prakash Pandey came to the house of the informant and proposed him that their son-in-law, Ajit Kumar Tiwari (petitioner) is doing business of installation of Mobile Towers, upon which, the informant gave Rs. 68,500/- for installation of Mobile and Internet Tower in his land, but neither the said tower was installed in the land of the informant nor money was returned back to him.



Learned counsel for the petitioners submits that the petitioners have been implicated in this case due to ulterior motive and the case has been lodged after a long delay of 09 years without any plausible explanation for such delay. Moreover, there is no evidence to show that money was given to the petitioner and the other co-accused persons, namely, Raj Mangal Pandey and Jay Shankar Pandey have been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 23.12.2016 passed in Cr. Misc. No. 32659 of 2016.

Having considered the aforesaid facts and circumstances, let the petitioner, namely, Ajit Kumar Tiwari, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Goriakothi P.S.Case No. 26 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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