

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20495 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- PIPRA District- East Champaran

Kamod Tiwari @ Kamod Thakur, S/o Lalbabu Tiwari, R/o village- Bahuara
Haribansh, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 29.12.2018 in a case registered for the offences punishable under Sections 384, 385, 386, 387, 120B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the written report of Vinay Kumar submitted to the Station House Officer of Pipra Police Station, is to the effect that the informant is the accountant of a Construction Company namely, Laxman Kumar Construction. On 06.07.2018 at 11.15 P.M., on a Pulsar motorcycle, three persons came and started looking for the owner and the accountant of the said Construction Company and they threatened not to work in Champaran and they also



resorted to fire, leading to registration of the FIR against unknown. The name of the petitioner sprang up on the confession of co-accused Tarun Kumar @ Lalsaheb.

It is submitted by learned counsel for the petitioner that except the confession of the co-accused there is no material on record to corroborate the accusation and there is no recovery from the petitioner nor the petitioner has been put on T.I. Parade till date. The investigation has already been concluded. Though, the petitioner is accused in two other cases but he is on bail in those cases. It is further submitted that similarly situated co-accused Nitish Ray has been granted bail by a Co-ordinate Bench of this Court vide order dated 11.03.2019 passed in Cr. Misc. No. 11263 of 2019.

Learned APP submits that the name of the petitioner sprang up on the confession of co-accused.

Considering the fact that except the confession of co-accused no material has been collected during investigation against the petitioner, similarly situated co-accused has been granted bail and from the material on record it does not appear that the petitioner has been put on T.I. Parade, let the above named petitioner 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 Judicial Magistrate, Ist Class,
Motihari, East Champaran in connection with Pipra P.S. Case
No. 171 of 2018.

(Dinesh Kumar Singh, J)

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