

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27102 of 2019

Arising Out of PS. Case No.-1257 Year-2018 Thana- SASARAM NAGAR District- Rohtas

Nikhil Tiwari @ Nikhil Raj Tiwari S/o Ghanshyam Tiwari Resident of
Village- Palaundha, P.S.- Chenari, District- Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shri Prakash Tiwari
For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sasaram Modal P.S. Case No. 1257 of 2018 registered under Sections 224, 225, 353, 120(B) and 414 of the Indian Penal Code and Section 25(1-b)a, 26(ii) and 35 of the Arms Act.

The accusation is that informant, Officer-in-Charge of Modal Police Station, Sasaram, received information that a conspiracy is being made for setting free to juvenile accused, Shivam @ Krishna Singh, in course of returning from the Juvenile Justice Board, Sasaram on 28.09.2018. Thereafter, several police personnel were deputed in Security. On 28.09.2018, Juvenile Shivam @ Krishna Singh along with other



juvenile were being taken from the court in prisoners vehicle then in the way, four persons were seen, who were sitting on motorcycle, making attempt to set free to juvenile, Shivam @ Krishna Singh but they were apprehended, who disclosed their names as Sonu Verma @ Manish, Manish dKumar Singh, Mintu Gaddi and Nasib Ansari. They also disclosed the name of Chandan Tiwary, Nikhil Tiwari (petitioner), Manish Pandey and Lal Bahadur, who also had come to help in the conspiracy to set free to juvenile, Shivam @ Krishna Singh.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case mere on suspicion, only on the basis of confessional statement of co-accused, who are said to be apprehended by the police. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram Modal P.S. Case No. 1257 of 2018, subject to the condition as laid down under



Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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