

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17920 of 2020

Arising Out of PS. Case No.-414 Year-2019 Thana- RAXAUL District- East Champaran

RAJAN TIWARI, aged about 23 years, Male, S/o Krishna Tiwari, R/o village-
Sripur, P.S.- Chharuadano, Distt.- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajesh Kumar, Advocate.

For the Opposite Party : Mr.Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Section 394 of the I.P.C.

The prosecution case, in short, is that while the
informant was going to his house, in the way, on 11.11.2019 at
about 5.45 A.M., when he reached near Naga Road Kali Mandir,
four unknown persons surrounded and assaulted him by fists
and slaps and two miscreants caught him and two miscreants
took out Rs. 50,000/- Nepali Currency and Rs. 1,000/- Indian



Currency from his pocket and thereafter, they fled away.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has transpired in the present case on the basis of confessional statement of co-accused Guddu Patel. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M. Raxaul, East Champaran, Motihari, in connection with Raxaul P.S. Case No. 414 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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