

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25307 of 2020**

Arising Out of PS. Case No.-244 Year-2020 Thana- BRAHMPUR District- Buxar

=====

KUMAR SHASHWAT @ GANESH TIWARI Son of Hareram Tiwari  
Resident of Village- Dharupur, P.S.- Bikramganj, District- Rohtas.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr.Parijat Saurav

For the Opposite Party/s : Md Mustaque Alam, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-09-2020                      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.

Learned counsel for the petitioner is directed to remove  
the defects, as pointed out by the Office, within a period of four  
weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case instituted for the  
offences under Section 394 of the Indian Penal Code and 27 of the  
Arms Act.

The prosecution case in short is that the accused persons  
snatched the pulsar bike of the informant.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 8.6.2020. There is no allegation of



tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-accused. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. It is submitted by the petitioner that as per the confession of the co-accused, there is no allegation of petitioner participating in the alleged occurrence. It is further submitted that the petitioner may be released after completion of six months in custody.

On behalf of the State, it is submitted that the petitioner has three criminal antecedents and the stolen motorcycle is said to have been recovered on the confession of this petitioner.

Considering the aforesaid facts and circumstances, **on completion of six months in custody**, it is directed that the petitioner, above named, be released on bail on 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, Buxar in connection with Brahmpur (Krishnabrahm) P.S. Case No. 244 of 2020.

**(Sudhir Singh, J)**

Pankaj/-

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