

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22803 of 2021

Arising Out of PS. Case No.-464 Year-2019 Thana- MASHRAK District- Saran

Abhishek Tiwari aged about 25 years, Son of Manoj Tiwari Resident of
Village- Shripur Maricha, Police Station- Sahajitpur, District- Saran (Chapra)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 30-11-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner who is in custody since 11.6.2020 seeks bail on connection with Mashrakh P.S. Case No. 464 of 2019 for the offence punishable under section 394 of the Indian Penal Code.

It is the case of the prosecution that two accused persons assaulted the informant and his nephew and snatched a bag containing Rs. 85,000/- in cash and some important documents alongwith his motorcycle and after committing the offence they fled away from the place of occurrence. Accordingly, the FIR was lodged against four unknown persons.

Learned counsel for the petitioner submits that he is innocent and only because the petitioner has been implicated in



other cases which are pending at various stages, his name has been roped in the present case. It has further been submitted that other co-accused, namely, Rajesh Pandit has already been released on bail vide order dated 7.9.2021 passed in Cr. Misc. No. 23512 of 2021.

The petitioner is in custody since 11.6.2020.

Learned counsel appearing on behalf of the State has opposed the prayer for grant of bail to the petitioner taking into consideration that the petitioner is having long criminal history as stated in para-3 of the supplementary affidavit filed on his behalf in this regard.

Having considered the fact that the name of the petitioner has surfaced in the confessional statement of co-accused and is in custody since 11.6.2020, let the petitioner, named above, be released on bail on furnishing bail bond by his father Shri Manoj Tiwari, resident of village-Shripur Maricha, P.S. Sahajitpur, district-Saran at Chapra of Rs. 5,00,000/- (Five lakhs) with two sureties of Rs. 25,000/- to the satisfaction of court below where the case is pending in connection with Mashrakh P.S. Case No. 464 of 2019 subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

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