

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40688 of 2020

Arising Out of PS. Case No.-507 Year-2019 Thana- PAROO District- Muzaffarpur

VIMAL KUMAR TIWARY Son of Chandeshwar Tiwari Resident of Village -
Bangara Paharpur, Chaklahlad, P.S. - Sahebganj, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 10.01.2020 in connection with Paroo P.S. Case No. 507/2019 registered for the offences punishable under Sections 392 of the Indian Penal Code.

As per the prosecution case, while the informant was returning from his sister's house on Pulsar motorcycle, three unknown miscreants looted his Pulsar motorcycle, Purse, A.T.M. card and other valuable items.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case. His name surfaced in connection with the present case during the course of investigation on the confessional statement of co-accused which has no evidentiary value and petitioner has been remanded in this case from Sahebganj P.S. Case No. 541/2019



in which he has been arrested with motorcycle of the informant of that case. It is further submitted that co-accused Rahul Kumar has already been granted bail vide order dated 15.09.2020 passed in Cr. Misc. No. 23548 of 2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned A.C.J.M.-III, Muzaffarpur, in connection with Paroo P.S. Case No. 507/2019, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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