

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21513 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

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UMESH TIWARI @ UMESH TIWARI PANDEY S/o Ganesh Tiwari R/o
village- Fulwariya, P.S.- Fulwariya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Town

P.S. Case No. 13 of 2022 registered for the offences punishable

under Sections 379 and 411 of the Indian Penal Code.

As per prosecution case, one Ganga Prasad Yadav

proceeded to withdraw money from his State Bank of India

bearing account 30211958314 at Nagarpalika Chowk and he

withdrew Rs. 49,000/-. He kept Rs. 10,000/- on the right pocket

of full-pant whereas remaining money was kept inside pocket of

the full-pant. He came out from the bank and the money

was taken out from his right pocket by a person who



started fleeing away. When the informant raised hulla several persons apprehended the person who was running away and when the accused person was searched then from his pocket Rs. 10,000/- and one black Samsung small mobile and Rs. 160/- and one ATM was recovered. Apprehended person disclosed his name as Umesh Tiwary (Petitioner) . At that time police arrived and the apprehended person was handed over to the police.

Learned counsel for the petitioner submits that petitioner is in custody since 06.01.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner has falsely been implicated in the present case. No independent witness has been made as witness of the seizure list.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. The stolen amount i.e. Rs. 10,000/- has been recovered from the possession of the said petitioner and he prays for rejection of bail.

Considering the facts and circumstances of the case, petitioner was apprehended on spot and alleged amount as well as articles were recovered from the possession of the



petitioner and also considering the nature of allegation, hence, I am not inclined to grant bail to the petitioner. Accordingly, the bail of the present petitioner stands rejected. If the trial is not concluded preferably within nine months, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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