

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27883 of 2022

Arising Out of PS. Case No.-397 Year-2020 Thana- GHORASAHAN District- East
Champaran

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VICKY TIWARI @ NICKY TIWARI Son of Gaurishankar Tiwari Resident of
Village - Dipahi, P.s.- Chiraiya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-09-2022 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in a case registered under section 392 of the
Indian Penal Code.

As per the prosecution case, two unknown miscreants
boarded on a motorcycle intercepted the informant and two
miscreants boarded on another motorcycle came there and
looted a bag from the informant containing original documents
of the motorcycle, bank register, laptop, Rs. 89,000 and his



mobile phone on the point of *katta*.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the possession of the petitioner. The petitioner is not named in the F.I.R and the name of the petitioner has sprung up in the confessional statement of the co-accused person Golu Singh. The petitioner is accused in ten other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 29.01.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Ghorasahan P.S. Case No. 397 of 2020, with following conditions:-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is



related to the petitioner.

2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

3. If the petitioner is found involved in similar nature of offence in future, the prosecution will have liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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