

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34121 of 2022

Arising Out of PS. Case No.-280 Year-2021 Thana- SARAI District- Vaishali

LAKSHYA TIWARI S/o Sunil Tiwari R/o village- Gurmia, P.S.- Kartahan,
District- Viashali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Sarai P.S. Case No. 280 of 2021 for the offences under
Section 392 of the Indian Penal Code.

As per the prosecution story, the informant, who is
Manager of Sangam Company while proceeding on a
motorcycle was intercepted and accuseds snatched Rs. 32,535/-
along with a tab, mobile, and a purse in which another Rs.
1500/- was kept beside other relevant materials. During
investigation, name of the petitioner came up and accordingly,
he was arrested on 11.01.2022 and remanded in this case on



05.04.2022.

Learned counsel for the petitioner submits that although he is in custody since 05.04.2022, Test Identification Parade has not been done and his name has come only on the confessional statement of co-accused, Sahil Kumar. His further submission is that nothing incriminating article has been recovered from his conscious possession.

Considering the aforesaid facts that he is in custody since 05.04.2022, no T.I. Parade has been done nor anything has been recovered from his conscious possession and charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

If however, it is found that the statements made in paragraph nos. 7 to 9 of the bail application are false, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Sarai P.S. Case No. 280 of 2021 in connection with Chief Judicial Magistrate, Vaishali at Hajipur subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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