

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53657 of 2021

Arising Out of PS. Case No.-149 Year-2021 Thana- PIRO District- Bhojpur

DEEPAK TIWARI @ TINA @ TINDA S/O SUDARSHAN TIWARI, R/o
village- Tiwari Tola, P.S.- Dumraon, Distt.- Buxar, Pin Code- 802119

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sadashiv Tiwari

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Piro P.S. Case No.149 of 2021, registered for the offence under Sections 395 of IPC.

As per FIR, the informant was going to his village then eight persons riding on four motorcycles, attacked on him. They also opened fire and snatched the motorcycle and mobile phone of the informant and fled away.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and he is innocent and has



committed no offence and has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the seizure list that one looted motorcycle was recovered from the open field near the house of the petitioner and till date no TIP conducted by the prosecution. He further submits that similarly situated co-accused namely Amar Kumar @ Amar Yadav has been granted privilege of regular bail vide order dated 25.03.2022 passed in Cr. Misc. No. 62148 of 2021. The petitioner is in custody since 17.06.2021.

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

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XIII, Bhojpur at Ara in connection with Piro P.S.Case No.149 of 2021 with the 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 and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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