

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15941 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- NAGAR District- Vaishali

Rahul Tiwari Son Of Shivkumar Tiwari R/V- Pachrukhi, P.S- Lalganj, Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 396 of the Indian Penal Code.

As per FIR, it is alleged that six unknown miscreants entered in jewelery shop of the informant and committed robbery of ornaments & cash on pistol point and while committing so, one of the miscreant fired upon the husband of the informant who sustained to injury and died during course of treatment. Allegation against the petitioner is that he has played role in facilitating the crime.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. Petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement other co-accused, namely, Arshad Khan before the police. It is further submitted that neither any eye witness nor any consistent evidence has come against the petitioner to implicate in the allege offence. It is also submitted that he has not been put on TIP. Moreover, he is languishing in judicial custody since 08.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Town P.S. Case No. 470 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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