

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58745 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- DUMRAO District- Buxar

VIKKI TIWARI Son of Narad Tiwari @ Naradmuni Tiwari R/v- Bariswan,
P.S.- Shahpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, A.P.P. .

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Dumraon P.S. Case No. 119 of
2022 for the offence registered under Sections
420, 467, 468, 471, 414/34 and 120(B) of the
Indian Penal Code and Sections 25(1-b)a, 26 and
35 of the Arms Act.

The police force is stated to have
apprehended the co-accused person, namely
Ritesh Kumar Rai along with a motorcycle and
upon search four pistol, one country made pistol,
four magazines and two mobile phones as also two
fake license book were recovered. It is further



alleged that upon interrogation the said Ritesh Kumar Rai has disclosed that he had got the illicit arms and fake license book from the petitioner. It appears that on the disclosure made by the said Ritesh Kumar Rai, the petitioner and other co-accused person, namely Rishikesh Yadav as also others were apprehended by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 16.06.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other criminal cases but he is on bail in the said two cases. It is also submitted that no incriminating articles have been recovered from the petitioner and merely on the confessional statement of the co-accused person, namely, Ritesh Kumar Rai, the petitioner has been roped in the present case. It is next submitted that the co-accused person, namely, Ritesh Kumar Rai has already been granted bail vide order dated



05.08.2022 passed in Criminal Miscellaneous No. 25189 of 2022. Lastly, it is submitted that the other co-accused persons have also been granted bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no illicit arms/ammunition have been recovered either from the conscious possession of the petitioner or from his house as also considering the fact that other similarly situated co-accused persons have already been granted bail by Co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Buxar in
connection with Dumraon P.S. Case No. 119 of
2022.

(Mohit Kumar Shah, J)

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