

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55691 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- SUGAULI District- East Champaran

Brajesh Tiwari S/O Sri Uday Raj Tiwari Resident Of Village- Brahman Toli,
Chhapra Bahas, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 394 of the Indian Penal Code.

The prosecution case in nutshell is that petitioner along with other co-accused persons snatched the bag of the informant containing a laptop and Rs. 3,00,000/-(Three lakhs) from the informant and shot on his thigh.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 26.06.2022. It is further submitted that petitioner is not named in F.I.R. and his name sprang up in this case on the basis of confessional statement of co-accused Upendra Sah, before the police, which has no evidentiary value in the eye of law. There is no consistent evidence against the petitioner in this alleged offence. Neither the petitioner has been put on T.I.P. nor anything incriminating ie. looted Cash has been recovered from his conscious possession. It is further submitted that similarly situated co-accused person has been granted Bail vide order dated 07.06.2022 in Cr. Misc. No. 4857 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sugauli P.S. Case No. 266 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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