

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55642 of 2022

Arising Out of PS. Case No.-43 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Navneet Tiwari @ Navnit Kumar Tiwari S/O Late Sitaram Tiwari R/O
Village- Banuchhapar, P.S- Bettiah, Muffasil (Banuchhapar O.P), District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-02-2023 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 sections 414, 387, 120B, 34 of the Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

As per prosecution case, after receiving the confidential information, the informant along with police party reached at the place of occurrence and apprehended co-accused Chhunnu Thakur. On search, one country made pistol loaded with eight live cartridges recovered from his possession and after verification of his mobile, the petitioner was in contact of the co-accused, thereafter, this has been lodged against this



petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from this conscious possession which shows his complicity in this case. From perusal of FIR, it is apparent the name of the petitioner transpired from Whatsapp chat of mobile of co-accused Chunnu Thakur. Except this, there is no consistent material against the petitioner. Moreover, similarly situated co-accused Chhotu Rao @Manishek Rao has already been granted bail by a coordinate Bench of this Court vide order dated 29.1.2022 in Cr. Misc. No. 28037 Of 2021. The petitioner is languishing in judicial custody since 27.6.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bettiah (Town) P.S. Case No. 43 of 2019 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., Bettiah, West
Champaran.

(Sunil Kumar Panwar, J)

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