

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75524 of 2023

Arising Out of PS. Case No.-168 Year-2023 Thana- BUXAR District- Buxar

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AVINASH KUMAR TIWARI Son of Sachhidanand Tiwari @ Sachida nand
Tiwari Resident of - Behind Girls High School, Near Bandhan Bank, Police
Station- Buxar Nagar, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 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 457 and 380
of the Indian Penal Code.

Prosecution case relates to theft of inverter by three
accused persons including the petitioner and they were arrested
on spot after chase by the police officials.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case.
Provision of Section 100 CR.P.C. has not been followed by the
police officials while preparing the seizure list. Similarly
situated other accused person has already been enlarged on bail



by this Court vide order dated 24.6.2023 passed in Cr. Misc. No. 31963 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 22.3.2023.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Buxar in connection with Buxar Nagar P.S. Case No. 168 of 2023.

(Sunil Kumar Panwar, J)

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