

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25772 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Vinay Tiwari @ Vinay Kumar S/O Late Babban Tiwari R/V Daharara, P.S- Durgawati, Dist- Kaimur.
2. Bhanu Tiwari S/O Late Pritam Tiwari R/V Daharara, P.S- Durgawati, Dist- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Durgawati P.S. Case No. 24 of 2024 instituted for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, the petitioners were engaged in stealthily removing the paddy grain bags from the tractors parked in front of the shop of the informant after raising *halla* these petitioners caught red-handed on spot and other two associates have succeeded to flee away.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. He submitted that the petitioners are never involved in such type of crime neither in past nor in present case as alleged against them but the real fact is that the petitioners after attending the birthday party in the relation of petitioner no. 2 in the nearby village and after moving for their home in the way in confusion at the time of passing near by P.O., some hot exchange took place between them and driver as some of the bags were on road which created obstruction while passing by the petitioners. No incriminating article has been recovered from the conscious possession of these petitioners. On the basis of suspicion, petitioners have been implicated in the present case. The petitioners are in custody since 03.02.2024 and they have no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Durgawati P.S. Case
No. 24 of 2024.

(Rudra Prakash Mishra, J)

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