

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39255 of 2024

Arising Out of PS. Case No.-327 Year-2023 Thana- DARAUNDA District- Siwan

Prince Tiwari Son Of Pramod Tiwari Resident Of Village - Kesari, Tiwari
Tola, P.S. - Ekma, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Daraunda P.S. Case No.
327 of 2023, instituted for the offences punishable under
Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, four
unknown miscreants looted bag containing cash amounting to
Rs. 68,495/- and other articles. It is further alleged that they also
looted mobile and motorcycle of the informant on the point of
pistol and *chaku*.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. The recovery of stolen article was made in the house of the petitioner but the petitioner does not reside at the place of recovery. The petitioner has been remanded in this case on 14.12.2023 and has got one criminal antecedent in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 06.05.2024 passed in Cr. Misc. No. 34366 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda P.S. Case No. 327 of 2023.

(Rudra Prakash Mishra, J)

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