

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44145 of 2024

Arising Out of PS. Case No.-259 Year-2022 Thana- PAHARPUR District- East Champaran

Alok Kumar Tiwari @ Alok Tiwari @ Alok Tiwary S/o Late Umesh Tiwari
R/o VILL - MAN KARARIYA, TOLA - HUSEPUR, P.S. - PAHARPUR,
DIST - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 04-10-2024 1. Heard learned counsel for the petitioner and Mr. Chandra Bhushan Prasad learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302 and 394 of the Indian Penal Code as well as Section 27 of the Arms Act
3. In compliance of the order dated 27.09.2024, the Station House Officer and the Investigating Officer of the case are present in the Court.
4. Learned A.P.P. submits that petitioner has antecedent of five cases. It is submitted that the informant alleges that Arman Alam was killed by unknown accused persons. It is further submitted that name of this petitioner transpired in the confessional statement of Amarjeet Kumar and Mantu Tiwari. It is next submitted that during the course of investigation, the motorcycle of the deceased was also recovered from the house of



Mantu Tiwari who is cousin of the petitioner.

5. Learned counsel appearing on behalf of the petitioner submits that Amarjeet Kumar and Mantu Tiwari had moved this Court seeking regular bail by filing Cr. Misc. No. 64642 of 2022 and Cr. Misc. No. 15702 of 2023 and the same was allowed by an order dated 24.03.2023 and 28.04.2023 respectively by a learned Coordinate Bench of this Court. Learned counsel thus submits that since the co-accused, in whose confession name of the petitioner transpired, have been granted the privilege of regular bail, the petitioner may also be allowed the privilege of regular bail. Learned counsel next submits that petitioner will not abscond rather will cooperate in the trial.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 1268 of 2023 arising out of Paharpur P.S. Case No. 259 of 2022.

8. One of the bailors of the petitioner shall be his mother, namely, Urmila Devi.

9. It is made clear that if the learned trial court comes to



a conclusion that petitioner, after his release on bail, is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner forthwith and to take all coercive steps to ensure that petitioner is behind bar.

10. The personal appearance of the Station House Officer and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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