

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47226 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- WARISNAGAR District- Samastipur

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1. Roshan Kumar Son of Shri Chote Tiwari R/O Vill.- Mathurapur, P.S.- Warisnagar, Dist.- Samastipur
 2. Vivek Tiwari Son of Shri Dara Tiwari R/O Vill.- Rahika, P.S.- Rahika, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Warisnagar P.S. Case No. 48 of 2024 instituted for the offences under Section 414 of the Indian Penal Code.

3. Prosecution case, in short, is that, police, during vehicle checking stopped the car and apprehended three persons and thereafter, recovered forty mobile phones and cash



amounting to rupees 2.5 lakhs from the boot(dicky) of the car.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. The names of the petitioners transpired in this case on the basis of disclosure made by the co-accused persons who were apprehended on the spot. No incriminating/looted article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle from which the alleged recovery has been made. Learned counsel further submitted that petitioners have got no concern the looted articles. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Warisnagar P.S. Case



No. 48 of 2024, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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