

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55298 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- AMNAUR District- Saran

BACHCHA TIWARI SON OF LATE SHIV KUMAR R/O- VILLAGE-
SOLAKHUA, P.S.- AMNOUR DISTT.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Dikshit, Adv.
Mr. Kumar Harshvardhan, Adv.
For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-10-2024 Heard Mr. Naresh Dikshit, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Amnour P.S. Case No. 132 of 2024 for the offence under
Sections 498(A), (B), (C), (D) and 420/34 of the Indian Penal
Code lodged on 08.05.2024 by the informant, Pintu Kumar.

3. As per the prosecution story, the informant alleged
that on secret information, the house of Bacha Tiwari was raided
and counterfeit currencies recovered/seized. Though accused
tried to escape, they were arrested and disclosed their name as
Bacha Tiwari (the petitioner herein), Dhiraj Kumar Singh,
Pawan Kumar Manjhi as also Pinku Tiwari. All kinds of notes
from Rs. 500/- to 200/- and 100/- beside Rs. 20 were



recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that though the police came to raid the house of the petitioner, the actual interception took place outside the house as they alleged that the accused persons were trying to escape and the recovery/seizure is also near the house. Further, the police only to implicate, has put certain notes in his possession and further has taken his confessional statement. It is his submission that one of the co-accused, Pawan Kumar Manjhi has been extended relief in Cr. Misc. No. 72769 of 2024. The last submission is that he has no criminal antecedent and is in custody since 09.05.2024 (para 12 of the petition).

5. Let the order of Pawan Kumar Manjhi be kept on record.

6. Learned APP opposes the prayer for bail submitting that the information of the police was about this petitioner and upon reaching the place, found the accused persons coming out of it, whereafter the arrest and the seizure.

7. As per the petition, the petitioner is 80 years old, the allegation is there and the same will culminate in the conclusion of the trial, it has been undertaken by the learned counsel for the petitioner that he will be diligently appearing in



trial, do not have criminal antecedent and is in custody since 09.05.2024, one of the co-accused has been extended the relief, as stated above, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Exclusive Excise Judge, Danapur in connection with Amnour P.S. Case No. 132 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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