

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83028 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- KOTWA District- East Champaran

Sumit Tiwari S/o Anil Tiwari, R/o Village- Ashok Pakadi, P.S- Pipra, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Lal, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Kotwa P.S. Case No.185 of 2023, registered for the offences punishable under Sections 392 of the Indian Penal Code.

3. As per the prosecution case, four miscreants entered into the branch office of Cashpor Micro Credit (providers of Financial Services to the rural poor) and looted cash of Rs.25,000/- and six Mobile phones from the employees of the branch.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that name of petitioner dragged in this case in the confessional statement of co-accused Sunil Kumar.



He also submits that no incriminating or looted articles has been recovered from the possession of petitioner and no TIP is conducted in this case. Learned counsel submits that petitioner has two criminal antecedents and he is in jail since 14.06.2023. He further submits that similarly situated co-accused Sunil Kumar on whose confessional statement name of petitioner has come in this case has already been granted bail by the Co-ordinate Bench of this Court vide order dated 21.08.2023 passed in Cr. Misc. No.53129 of 2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kotwa P.S. Case No.185 of 2023, subject to following conditions:-

- (i) One of the bailor should be the family member of the petitioner;
- (ii) The petitioner shall cooperate in trial and 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 month till conclusion of the trial to mark his attendance.

(Sunil Dutta Mishra, J)

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