

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83474 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- DHAKA District- East Champaran

Vicky Tiwari S/Ogauri Shankar Tiwari @ Gauri Shankar Tiwari R/O Village-
Dipahi, P.S- Chiraiya, Distt.- East Champaran At Motihari.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

3. As per prosecution case, three unknown miscreants entered in the shop of the informant and on the point of pistol and knife, they looted bag containing cash of Rs. 90,000/- to 1,00,000/-, Hanumani and mobile phone from the informant and his brother-in-law thereafter they fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name has been transpired in this case on the basis of self confessional statement of the petitioner in another case thereafter the has been remanded in



this case. Neither he was put on TI Parade nor any incriminating article has been recovered from his conscious possession. Similarly situated other co-accused Nitish Kumar Tiwari has already been enlarged on bail by this Court vide order dt. 29.11.2023 passed in Cr. Misc. No. 70821 of 2023. Moreover, the petitioner is languishing in judicial custody since 4.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got several criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed**, in connection with Dhaka P.S. Case No. 247 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran.

(Sunil Kumar Panwar, J)

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