

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83557 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- CHANPATIA District- West Champaran

Avinash Tiwari @ Avinash Kumar Tiwari @ Bittu Son of Shri Murari Tiwari
Resident of Village- Padukiya (Parukiya) Ward no. 19, P.S.- Chanpatiya,
Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and Mr.
Jitendra Kumar Singh, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 309(4) and 317(3) of the B.N.S.

3. The case of the prosecution is that altogether Rs. 3,90,000/- was looted by the unknown miscreants from the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner is not named in FIR rather his name has surfaced during investigation on the confessional statement of co-accused Niraj Kumar before the



police which has got no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 05.10.2024 in Cr. Misc. No. 72422 of 2024. Moreover, the petitioner is languishing in judicial custody since 06.08.2024.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chanpatiya P.S. Case No. 162 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Bettiah, West Champaran.

(Ashok Kumar Pandey, J)

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