

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48 of 2024**

Arising Out of PS. Case No.-777 Year-2020 Thana- MADHAURAH District- Saran

Rohit Kumar @ Rohit Tiwari @ Rohit Kumar Tiwary Son of Ganesh Tiwari
Resident of Village- Mahuli, Police Station- Isuapur, Distt- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Marhowrah P.S. case No. 777 of 2020 instituted for the offences
under Sections 392 of the Indian Penal Code.

3. Prosecution allegation, in short, is that three
unknown miscreants snatched the motorcycle of the informant
on the point of pistol.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.03.2023 and has eight
criminal antecedents but out of the eight cases, he is on bail in



seven cases. The petitioner has falsely been implicated in the present case only on the basis of the confessional statement of the co-accused, Golu Kumar. Nothing incriminating has been recovered from the possession or from the house of the petitioner. Learned counsel further submitted that the co-accused person, on similar footing, has been granted bail by the co-ordinate Bench of this Court vide order dated 28.07.2023 passed in Cr. Misc. No. 45306 of 2023.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Marhowrah P.S. case No. 777 of 2020, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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