

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19307 of 2025

Arising Out of PS. Case No.-667 Year-2024 Thana- FATEHPUR District- Gaya

Abhishek Kumar Tiwary @ Abhishek Tiwary S/O Devendra Tiwary Resident
of Village- Teterdih, Ward No. 6, P.S.- Ranka, Dist- Garhwa, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Dharmendra Singh Raghav S/o Satyaveer Singh Raghav R/O- G.M.
Projects, S.T. Construction pvt Ltd. Sohana, P.S- Fatehpur, dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ashok Kumar Jha, Adv.
For the Opposite Party/s :	Mr.Gauri Shankar Gupta, APP.
	Mr.Gauri Shankar Gupta, Adv.
	Mr. Avinash Chandra , Adv.
	Mr. Deepanshu Singh Chauhan, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party No.2 and learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Fathepur PS Case No. 667 of 2024, instituted under Sections
303(2) of the Bhartiya Nyaya Sanhita,2023.

3. The prosecution case, in short, is that the petitioner,
who works as a supervisor at S.T. Construction Private Limited,
is alleged to have stolen 3 tons of iron rods from the company's
site on 08.10.2024 and to have sold them illegally.



4. At the very outset, learned counsel for the petitioner submits that the petitioner is ready to pay the value of the iron rods that were stolen.

5. Learned counsel for the informant and learned APP for the State have opposed the prayer for bail. However, they submit that the court may pass appropriate order in view of the fact that the petitioner is ready to pay the value of the iron rods that were stolen.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on provisional bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Gaya, in Fatehpur PS Case No. 667 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further that the petitioner shall make payment of a sum of Rs. 75,000/- in favour of the S.T. Construction Pvt. Limited, Sohana Pokhar, PS. Fatehpur, Dist. Gaya at the time of furnishing the bail bonds. The remaining amount shall be paid in two equal instalments in the next two consecutive months.



7. Upon payment of the entire amount to the S.T. Construction Pvt. Limited, the provisional bail granted to the petitioner shall be confirmed by the learned court below itself. The payment of the aforesaid amount shall remain subject to the final outcome of the case.

8. In the event the petitioner fails to deposit the amount as undertaken, the learned court below shall be at liberty to cancel the petitioner’s provisional bail.

9. Accordingly, the application stands disposed of.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

