

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33717 of 2025

Arising out of PS. Case No.-75 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Amit Tiwari S/o Late Dilip Tiwari Resident of village- Barauni Songraha,
P.S.- Fulwariya, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

Mr. Raju Kumar, Advocate

For the Opposite Party/s: Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Bibhutipur P.S. Case No. 75 of 2025 instituted for the offences under Sections 307 and 317(2) of BNS. He has four criminal antecedents.

3. The prosecution case is to the effect that one Rinkesh Kumar, the Informant has stated that on 18.02.2025 while he was going to deposit cash in Union Bank of India, Rs. 1,75,000/- which was kept in his bag, the criminal is stated to have snatched away, however, he was chased and caught and on search Rs. 2,000/- was recovered from the possession of the petitioner.



4. Mr. N.K. Agarwal, learned senior counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to personal dispute between the informant and the petitioner. It is further submitted that no such incident as alleged has occurred. It has also been submitted by learned senior counsel that no incriminating article has been recovered from the possession of the petitioner and it is further pointed out that from perusal of the FIR it is evident that the police had arrived at the place of occurrence and the petitioner is stated to have been arrested by the police at the place of occurrence despite such fact no fardbeyan was recorded and moreover after one and half hours of the alleged incident a computer typed written report was filed by the informant. It is lastly submitted that the petitioner carries four criminal antecedents but two of the said cases are of the year 2016 and he is in custody since 19.02.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has stated that petitioner was apprehended at the place of occurrence and Rs. 2,000/- was recovered from his possession.

6. Considering the aforesaid submission of learned counsel for the parties and taking into account the fact that the



petitioner was apprehended with Rs. 2,000/- in his pocket and the fact that charge-sheet has already been submitted and the petitioner is in custody since 19.02.2025, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Rosera in connection with Bibhutipur P.S. Case No. 75 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is



found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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