

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53660 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- KUTUMBA District- Aurangabad

Pankaj Tiwari son of Late Kuldeep Tiwari Village- Kutumba PS- Kutumba
District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bhaskar Shankar
For the Opposite Party/s :	Mr. Rabindra Kumar- A.P.P.
	Mr. Brij Mohan Das
	Mr. Binod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-08-2025 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 307, 379, 341, 323, 504, 506 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the police after investigation, submitted final form exonerating the petitioner of the allegation as alleged in the FIR, but then, the learned Magistrate differing with the police report took cognizance, as such, petitioner apprehends arrest. It is next submitted that when one investigating agency after threadbare investigation came to a



considered conclusion that petitioner is innocent whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation.

4. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police after investigation submitted final form exonerating the petitioner of the allegation..

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Aurangabad in connection with Kutumba P. S. Case No.92 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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