

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70229 of 2025

Arising Out of PS. Case No.-521 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Abhishek Tiwari S/o Late Arvind Tiwary R/o Village- Dadar, P.S.- Mohania,
District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Pandey, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-10-2025 Heard the learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Mohania P.S. Case No. 521 of 2025 registered for the offences under Sections 308(2), 303(2) of BNSS 2023.

3. Allegedly, while the informant was moving on a Pulsar motorcycle bearing Registration No. BR45Q265, in the meanwhile, he was intercepted by some of the miscreants including the petitioner who forcefully snatched the motorcycle and valuables, including cash and golden chain. The informant identified the petitioner.

4. Learned Advocate for the petitioner submitted that both the informant and petitioner are residents of same place



and as such the allegation of snatching of the motorcycle by the petitioner does not inspire confidence all the more, just after the occurrence; the motorcycle was found in an abandoned condition at N.H. 2 G.T. Road near Upawan Hotel which fact has also been corroborated during the course of investigation and disclosed in paragraph -30 of the case diary. The informant is not the owner of the motorcycle rather one Ramesh Kumar, Son of Awadhesh Kumar is said to be owner of the motorcycle, who did not lodge the F.I.R. regarding theft of the same. Only on account of three criminal antecedents as has been disclosed in paragraph -3 of the bail application, the police malafidely implicated the name of the petitioner in collusion with the informant. The petitioner undertakes that he will fully cooperate in the proceedings before the court below.

5. On the other hand, the learned Advocate for the State vehemently opposed the bail application and submits that there is specific allegation against the petitioner of snatching the motorcycle and valuables and he was identified by the informant.



6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the alleged recovery of the motorcycle has been made from an abandoned place just after the occurrence and the owner of the motorcycle has not supported the prosecution case besides the undertaking of the petitioner, let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Mohania, Sasaram/the concerned court below, in connection with Mohania P.S. Case No. 521 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Harish Kumar, J)

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