

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78839 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Karan Tiwary @ Karan Kumar Tiwari, S/o Mukesh Tiwary, R/o Village-
Phulwariya Kamla Patti, P.S.- Kuchaikote, District- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Sanjya Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kuchaikote P.S. Case No. 237 of 2024 dated 02.06.2024
instituted for the offence punishable under Sections 414 of the
Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the police personnel signaled to stop a
motorcycle on which two persons were riding. Pillion rider was
apprehended but the driver of the said motorcycle managed to
escape away. Pillion rider, namely, Safi Alam disclosed that the
said motorcycle was being driven by the petitioner. On asking to
produce the documents with regard to the said motorcycle, he
failed to do so.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has been made accused in this case only on the basis of confessional statement of co-accused, Safi Alam, who was apprehended at the spot. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession of the petitioner rather the said motorcycle has been recovered from the Safi Alam. Lastly, it has been submitted that petitioner has one criminal case against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kuchaikote P.S. Case No. 237 of 2024, he will be released on 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 A.C.J.M.-I, Gopalganj subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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