

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83305 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- SATHI District- West Champaran

Avinash Kumar Tiwari @ Bittu Son of Shri Murari Tiwari Resident of Village
- Parukiya Ward No.19, Police Station - Chanpatiya, District - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 05-02-2025 Heard learned counsel for the petitioner and Mr. Umesh
Lal Verma, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 309(4) of the Bharatiya Nyaya Sanhita.

3. The case of the prosecution is that the informant was going on his bike and took some cash and valuables from one Rambhuj alias Dinesh Prasad. As he proceeded for Hardia Chowk, Narkatiaganj near Hicchopal Dhala, three persons on a bike overtook him and on gunpoint, took away the bag containing cash and fled away. The case was registered against unknown miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is next submitted that on



the basis of suspicion, the petitioner was apprehended and he has also given his confession statement. It is next submitted that nothing has been recovered from the possession of this petitioner. His name has surfaced only because the petitioner is having criminal antecedent of four cases. It is also submitted that the petitioner is in bail in all the aforesaid cases. It is further submitted that the petitioner is languishing in judicial custody since 15.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sathi P.S. Case No. 130 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Bettiah.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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