

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90016 of 2024

Arising Out of PS. Case No.-32 Year-2002 Thana- CHIRAIYA District- East Champaran

Prashiddh Tiwari @ Prashiddh Pathak, Son of Late Ram Chandra Tiwari,
Resident of Village- Parewa, P.S.- Sikarganj, District- East Champaran
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

9 22-07-2025 Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the
State.

2.The accused/petitioner seeks bail in
connection with Chiraiya P.S. Case No.32 of 2002
registered for the offence punishable under Section
396 of the Indian Penal Code.

3. The accused/petitioner is not named in
the FIR and is in custody since 20.09.2024.

4. Allegation against the petitioner is to
commit dacoity on intervening night of 18th/19th
March, 2002 and while doing so, committed
murder of one Md. Haffiz Mian.

5. It is submitted by learned counsel



appearing for petitioner that the name of petitioner transpired during the course of investigation on the basis of confessional statement of co-accused Ram Ballam Sahni, who was granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.26472 of 2003. It is submitted that in furtherance of confessional statement of co-accused, nothing incriminating surfaced/recovered as to connect the petitioner *prima facie* with present occurrence of dacoity and murder. It is pointed out that T.I.P. was not conducted and moreover, the petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement nothing *prima facie* appears incriminating against the petitioner, who is a man of clean antecedent, coupled with the fact that he remains in custody since 20.09.2024 accordingly, the petitioner,



above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sikrahna at Dhaka, East Champaran in connection with Chiraiya P.S. Case No.32 of 2002, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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