

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32172 of 2026

Arising Out of PS. Case No.-468 Year-2025 Thana- NARPATGANJ District- Araria

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Raja Kumar Tiwari @ Raja Tiwari S/o Satya Narayan Tiwari @ Satya Narain
Tiwari R/o Village - Posdaha, Ward No. 06, P.S. - Fulkaha, Dist. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Vijay Kishore Bharti, learned counsel

for the petitioner and Mr. Sanjay Kumar Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.12.2025 in connection with Narpatganj P.S. Case No. 468 of
2025 for the offence punishable under Section 309(4) of the
BNS.

3. The case of the prosecution, in brief, is that on
24.12.2025 at about 04:30P.M., two accused persons booked the
informant's rickshaw. Upon reaching Madhura North Shiv
Mandir, one more person arrived on a motorcycle and all the
three persons wrongfully restrained the informant, tied his hands
and legs and forcibly took him to a maize field, there they
robbed his Samsung mobile phone, Rs. 7,000/- in cash and his
City Rickshaw bearing Registration No. BR50ER3472 and fled
away. During inquiry, the informant came to know that the
occurrence was committed by Arun Tiwari and Lala Tiwari.



4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and the name of the petitioner has transpired during investigation on the basis of self confessional statement of the petitioner and recovery has been made from the house of the co-accused person, namely, Sanjeet Sharma. It is next submitted that petitioner has been made an accused in this case merely on the ground that he is the brother of co-accused, namely, Lala Tiwari. It is also submitted that co-accused person, namely, Satyanarayan Tiwari has been granted bail vide order dated 20.04.2026 passed in Cr. Misc. No. 26247 of 2026 and no TIP has been conducted of the prosecution. It is next submitted that police after investigation has submitted charge-sheet and petitioner is in custody since 27.12.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of seven cases other than the present case but fairly submits that out of seven cases petitioner is on bail in three cases and other four cases are pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned CJM, Araria in connection with Narpatganj P.S. Case No. 468 of 2025, subject to 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 shall remain physically present as directed 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. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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