

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12935 of 2015**

Arising Out of PS.Case No. -20 Year- 2000 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Sheo Nath Kharwar Son of Late Budhu Kharwar @ Juthi Kharwar  
Resident of Village - Pipara, P.S. - Adhaura, District - Kaimur at Bhabua.  
At present address - Resident of Village - Suarsot Khud, P.S. - Manchi,  
District - Sonbhadra (U.P.)

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

with

**Criminal Miscellaneous No.19586 of 2015**

Arising Out of PS.Case No. -20 Year- 2000 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Ramjee Ram son of Late Mahadeo Chamar @ Late Laljee Chamar  
resident of village- Didhar @ Didhara, P.S. - Adhaura, District- Kaimur at  
Bhabua.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

(In Cr.Misc. No.12935 of 2015)

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

(In Cr.Misc. No.19586 of 2015)

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      28-05-2015      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioner in Criminal Miscellaneous No. 12935 of  
2015 namely, Sheo Nath Kharwar and Ramjee Ram in Cri.  
Miscellaneous No. 19586 of 2015 are in custody since 19.11.2014  
and 25.09.2014 respectively, in connection with Chainpur P.S.

Case No. 20 of 2000 registered for the offences punishable under Sections 323, 324, 326, 341, 379, 353, 307, 302, 427/34 of the Indian Penal Code and Section 27 of the Arms Act and Section 34 of the Explosive Substance Act and 17 of the C.L.A. Act.

Learned counsel for the petitioners submits that the two petitioners were not named in the F.I.R. but subsequently on the basis of the confessional statement made before the police by one co-accused Balroop Mushar, the petitioners' name have surfaced. Learned counsel for the petitioners submits that such a confession made before the police by co-accused has no evidentiary value and the petitioners have been in custody for more than six months.

Considering the aforementioned submissions and also the facts that one similarly situated person has been extended the benefit of regular bail by this Court in Cri. Misc. No. 11958 of 2014 vide order dated 14.10.2014, let the petitioners namely, Sheo Nath Kharwar and Ramjee Ram be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 20 of 2000.

**(Anjana Mishra, J)**

Saif/-

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