

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13634 of 2016

Arising Out of PS.Case No. -2 Year- 2015 Thana -NAVHATTA District- SASARAM (ROHTAS)

Ramdular Kharwar, son of Late Bisheshwar Kharwar, resident of village-Salma, P.S.- Nauhatta District Rohtas at Sasaram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar(APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Nauhatta P.S. Case No. 02 of 2015 registered under Sections 147, 148, 149, 353 and 307 of the Indian Penal Code and Section 414 of the Explosive Substance Act, Section 25(1-b), 26 and 27 of the Arms Act, Section 13/15 B.B. Act and Section 17 of the C.L.A. Act.

The accusation is that police on receiving secret information about preparation of committing offence by the Naxlite in the leadership of five persons including the petitioner, started to raid. In that course, police party surrounded the Bando village then firing was started from both sides and thereafter, Ram Jokhan Singh and Sinhasan Yadav, were caught hold by the

raiding party whereas others succeeded to flee away.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner has not been apprehended by the raiding party at the spot rather his name has come in the F.I.R. mere on suspicion. It is further submitted that similarly situated co-accused, Binod Singh, has already been granted privilege of bail by a bench of this Court vide order dated 03.02.2016 passed in Criminal Misc. No. 3410 of 2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Dehri On-Sone, Rohtas, in connection with Nauhatta P.S. Case No. 02 of 2015 Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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