

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34513 of 2016**

Arising Out of PS.Case No. -5 Year- 2016 Thana -CHAND District- BHABHUA (KAIMUR)

- =====
1. Ekbal Kharwar Son of Girja Kharwar
  2. Kani @ Kanu Kharwar Son of Sikandar Kharwar
  3. Sidh Kharwar @ Sindhu Kharwar Son of Late Shakti Kharwar
  4. Bandhua Kharwar Son of Late Chamar Kharwar

All Residents of village- Chilbili, P.S.- Kudra, District- Kaimur at  
Bhabua ... .. Petitioners

Versus

The State of Bihar ... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      05-09-2016                      Heard Sri Tribhuwan Narayan, learned counsel for  
  
the petitioners and Sri Akhileshwar Dayal, learned Addl. Public  
  
Prosecutor.

Four petitioners, apprehending their arrest in Chand  
P.S. Case No.05 of 2016, G.R. No.282/16 registered for the  
offence under Sections 457 and 380 of the Indian Penal Code and  
later on Section 411 of the Indian Penal Code was added, have  
prayed for grant of bail in the event of their arrest.

Learned counsel for the petitioners submits that  
F.I.R. was lodged against unknown. However, during  
investigation one of the accused, namely, Sahid Kharwar was  
apprehended and from his possession stolen articles were  
recovered. The petitioners' name has come on statement made by

co-accused. He submits that save and except the statement of co-accused, there is no material against the petitioners

In view of the fact that the petitioners' name has come only on the disclosure made by the co-accused, let four petitioners, namely, (i) Ekbal Kharwar (ii) Kani @ Kanu Kharwar (iii) Sidh Kharwar @ Sindhu Kharwar and (iv) Bandhua Kharwar, in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond 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 Chand P.S. Case No.05 of 2016 with conditions that (i) one of the bailors must be permanent resident of the area (ii) During investigation, as and when required by the Investigating Officer, petitioners will appear and participate in the investigation and (iii) if during investigation any material in addition to confessional statement of co-accused is collected against the petitioners, they are forwarded as accused and charge sheeted, their bail bond shall stand automatically cancelled and, thereafter, they will have to appear and make a prayer for regular bail

**(Rakesh Kumar, J)**

NKS/-

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