

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41181 of 2016

Arising Out of PS.Case No. -127 Year- 2010 Thana -ROHTAS District- SASARAM (ROHTAS)

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Dular Kharwar @ Ram Dular Kharwar @ Nawal Jee son of Late
Bisheshwar Kharwar R/o village- Salma, P.S.- Nauhatta, District- Rohtas
at Sasaram

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 30-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 10.02.2016 in connection with Rohtas P.S. Case No. 127 of 2010, G.R. No. 2300/2010 for the offences alleged under Sections 147, 148, 149, 121A, and 124A of the Indian Penal Code and Sections 25(1-B)a, 26 27 of the Arms Act and Section 17 of the C.L.A. Act

3. It is submitted that the petitioner has been falsely implicated on alleged disclosure by other co-accused persons who were caught by the informant side at the spot and from whose possession certain arms were recovered and except this, there is no material to connect the petitioner with the offence alleged. Other accused persons, namely, Sheoji Pal, Shri Kishun Uraon, Mohan Chaudhary and Satyendra Singh @ Shekhar @ Shekhar Jee, who were caught by the informant side, have been granted bail by this Court in Cr. Misc. No. 8555 of 2011, Cr. Misc. No. 11123 of 2011, Cr. Misc. No. 11136 of 2011 and Cr. Misc. No. 10951 of 2011, respectively.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate Rohtas at Sasaram in connection with Rohtas P.S. Case No. 127 of 2010, G.R. No. 2300 of 2010 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

B.T/Ibrar

(Vikash Jain, J)

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