

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1827 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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Rahul Kharwar, Son of Late Sheo Kharwar, resident of village - Maninagar,
Jakki Bigha, P.S. Dehri, District – Rohtas Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Verma

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dehari Town
P.S. Case No. 235 of 2016 registered for the offences punishable
under Sections 457 and 380 of the Indian Penal Code.

Allegedly, some unknown miscreants committed theft of
five bags of clothes, three mobiles and gas cylinders from the
house of the informant and during investigation the name of the
petitioner transpired in the confessional statement of co-accused
Aslam Ansari and further the petitioner also confessed his guilt.

Submission is of false implication and that the
confessional statement made before the Police has got no
evidentiary value in the eye of law, nothing has been recovered
from possession of the petitioner and without any legal and



tangible material he is suffering in custody since 25.09.2016 whereas Aslam Ansari has been allowed bail vide Cr. Misc. No. 51449 of 2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri-On-Sone in connection with Dehri Town P.S. Case No. 235 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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