

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45274 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -ADHAURA District- BHABHUA (KAIMUR)

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Vijay Singh Kharwar @ Vijay Kharwar Son of Late Visheshwar Singh
Kharwar resident of 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. Pawan Kumar Singh, Advocate

For the Opposite Party : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offence under sections 147, 148, 149, 323, 342, 435 and 379 IPC, 27 Arms Act, sections 10 and 13 of the Unlawful Activity Act and 17 of the Cr.L.A.Act. Petitioner along with others is said to have come to the road construction site and torched several vehicles being used in the construction work.

Counsel for the petitioner submits that the petitioner has falsely been made accused in this case and from perusal of the impugned order it is evident that one of the co-accused Nasim Khan has already been allowed privilege of bail by the court below itself and his case stands on similar footing. Prior to the instant case, he is also an accused in one another case as detailed in paragraph 3 of the petition. Petitioner is in custody since 16.5.2017.

In view of the aforesaid submissions, let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the



satisfaction of the Sub Divisional Judicial Magistrate, Sherghatti, Gaya in Dumaria Police Station Case No. 27 of 2017, on the following conditions:-

(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(c) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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