

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37029 of 2018

Arising Out of PS. Case No.-643 Year-2018 Thana- SASARAM NAGAR District- Rohtas

Badal Kharwar son of Bikash Kharwar resident of Maunia Bigha (Mani Nagar), P.S. Dehri, District : Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate
For the Opposite Party/s : Mr. Sri Zainul Abedin (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and
learned counsel representing the State.

The petitioner seeks bail in connection with Sasaram (Tilauthu) P.S Case No. 643 of 2018 registered for the offences punishable under Sections 379, 411, 34 of the Indian Penal Code.

Allegedly, two youth and two boys started altercation in vegetable market and in the meantime one youth took away the mobile of the informant and started fleeing away but after chase they were caught and from possession of the petitioner the said mobile was recovered.

Submission is of false implication and that only on suspicion the petitioner has been implicated, nothing has been recovered from the possession of the petitioner, without any



fault he is in custody since 24.04.2018 having no criminal antecedent, chargesheet has also been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner was caught with mobile of the informant.

In the facts and circumstances stated above, considering the custody of the petitioner now he is directed to be released on bail on execution of 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 Sasaram (Tilauthu) P.S. Case No. 643 of 2018, 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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