

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17308 of 2018

Arising Out of PS. Case No.-35 Year-2015 Thana- NAVHATTA District- Rohtas

Nirmal Singh Kharwar @ Awadhesh Ji @ Nirmal Singh, Son of Sita Ram Singh, Resident of Village- Rehal, P.S.- Nauhatta, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. YOGENDRA KR. SINGH (APP)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 28-03-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with Nauhatta P.S. Case No.35 of 2015, giving rise to Sessions Trial No.265 of 2016, registered under Sections 147/148/149/353/386/307 of the Indian Penal Code, under Sections 25(1-b)A, 27/35 of the Arms Act as well as under Section 17 of the C.L.A. Act.

Allegation in brief is that police surrounded the naxalites who had assembled in the jungle but all escaped except one named Ramji Singh, who disclosed the name of others including the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot, so except disclosure



of his name by one apprehended accused, Ramji Singh, there is no other material against him in the present case and he is in custody since 06.04.2016.

Having considered the aforesaid facts and circumstances, petitioner Nirmal Singh Kharwar @ Awadhesh Ji @ Nirmal Singh is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional District & Sessions Judge, Rohtas at Sasaram in connection with Nauhatta P.S. Case No.35 of 2015, giving rise to Sessions Trial No.265 of 2016 with conditions that the petitioner shall not indulge in similar offence in future and he shall remain physically present on each and every date before the trial court and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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