

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73861 of 2019**

Arising Out of PS. Case No.-294 Year-2018 Thana- CHAINPUR District- Kaimur (Bhabua)

1. JOKHAN KHARWAR Son of Late Ramswarup Kharwar Resident of Village - Lodipur, P.S.- Chainpur, Distt - Kaimur at Bhabua.
2. Govind Kharwar Son of Late Laljee Kharwar Resident of Village - Lodipur, P.S.- Chainpur, Distt - Kaimur at Bhabua.
3. Arbind Kharwar Son of Jayprakash Kharwar Resident of Village - Lodipur, P.S.- Chainpur, Distt - Kaimur at Bhabua ... .. Petitioners

Versus

The State of Bihar

... Opposite Party

**Appearance :**

For the Petitioners : Mr. Uday Pratap Singh, Advocate

For the Opposite Party : Mr. Pancha Nand Pandit, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      25-11-2019                      Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence under sections 379/34 and other allied sections of the Indian Penal Code.

It is submitted on behalf of the petitioners that in fact the petitioners were protesting against the action of the Anchal Amin, who was doing defective measurement of the land, and the same transaction has been given a different colour by filing the instant case. Similarly situated co-accused Sri Sarwan Mian has already been allowed anticipatory bail by a bench of this Court vide order dated 25.1.2019, passed in Cr.Mis.No. 3523/2019. Further, there is no allegation that the petitioners have ever tampered with the evidence. Petitioners have got no criminal antecedent.

In the event of arrest/surrender within six weeks, let the petitioners, as mentioned above, be released on bail on their furnishing bail bond of Rs.10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate II, Kaimur at Bhabua in Chainpur Police Station Case No. 294/2018, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

**(Prabhat Kumar Singh, J)**

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