

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32207 of 2021

Arising Out of PS. Case No.-13 Year-2020 Thana- KARPI District- Jehanabad

1. ROHIT KHARWAR @ NANHAKA Son of Dhananjay Kharwar Resident of Village- Gajborbiga, P.S.- Barun, District- Aurangabad.
2. Jathu Kharwar Son of Dhananjay Kharwar Resident of Village- Gajborbiga, P.S.- Barun, District- Aurangabad.
3. Gulsan Kharwar @ Gulshan Kharwar Son of Akshay Kharwar Resident of Village- Gajborbiga, P.S.- Barun, District- Aurangabad.
4. Rajdeo Kharwar Son of Dilchand Kharwar Resident of Village- Gajborbiga, P.S.- Barun, District- Aurangabad.
5. Dabua Gulguliya Son of Vijay Gulguliya Resident of Village- Rampur, P.S.- Karpi, District- Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-03-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with
Karpi Police Station Case No. 13 of 2020, registered for the
offences punishable under Sections 457/380 of the Indian Penal
Code.

The prosecution case, as per the First Information
Report, is that some unknown thieves committed theft in the
house of the informant and took away chains, ear-rings, rings,



anklets, cloths, utensils etc.

Learned Counsel for the petitioners submits that the petitioners are not named in the First Information Report and they have falsely been implicated in this case on the basis of their confessional statements recorded by the police after their arrest. He further submits that no incriminating material and/or stolen articles has been recovered from the possession of the petitioners and except their confessional statements, no other material is there against them. He further submits that the petitioner were earlier made accused in Karpi Police Station Case No. 96 of 2020 and thereafter they have been made accused and remanded in four other criminal cases. He further submits that the petitioners are in custody since 19.08.2020 and charge sheet has been submitted against them and as such, there is no likelihood of the petitioners being abscond or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that nothing has been recovered from the possession of the petitioners, they have been made accused on the basis of their confessional statements, the petitioners are in custody since 19.08.2020 and charge sheet has



already been submitted, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Arwal, in connection with Karpi Police Station Case No. 13 of 2020, subject to the conditions that the 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 bonds shall be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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