

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8404 of 2023

Arising Out of PS. Case No.-492 Year-2021 Thana- BIHTA District- Patna

Chintu Kharwar Son Of Jetu Kharwar @ Jethu Kharwar Resident Of Village -
Kandadih, Balpar (Ghosia Kala), P.S.- Vikram Ganj, Dist.- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 341, 342, 302, 394
of the Indian Penal Code and Section 27 of Arms Act.

Allegation against the petitioner and other co-
accused persons is that they commit robbery in the
house of informant and looted away gold ornaments. It
is further alleged that during the course of alleged
occurrence, husband of the informant was shot dead.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was apprehended in Bihta P.S. Case No. 581 of 2021 and remanded in the present case on 25.10.2021 and since then he is languishing in judicial custody. It is further submitted that there is no consistent and material evidence against the petitioner and no any eye witness of the alleged offence. Similarly situated co-accused persons have been granted Bail vide order dated 22.03.2023, passed in Cr. Misc. No. 74007 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Bihta P.S. Case No. 492 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge V, Danapur.

(Sunil Kumar Panwar, J)

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