

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80296 of 2023

Arising Out of PS. Case No.-536 Year-2023 Thana- DEHRI TOWN District- Rohtas

1. Pawan Singh Kharwar @ Pawan Kharwar Son Of Sudharshan Kharwar @ Sudarshan Kharwar Resident Of Village- Maninagar, P.S.- Dehri Town, District - Rohtas
2. Uttam Kharwar Son Of Sujit Kharwar Resident Of Village- Deawalter, Tulin, Puruliya, West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek regular bail in connection with Dehri (T) P.S. Case No. 536 of 2023 instituted for the offences punishable under Section 414 of the Indian Penal Code.

3. As per the prosecution case, there is recovery of 4 android mobile phone from the possession of the petitioner No.1 Pawan Singh Kharwar and two mobiles from the possession of petitioner No. 2 Uttam Kharwar.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case, there is general and omnibus allegation against the petitioners, they have got clean antecedent and petitioners are in custody since 06.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case and the period of detention of the petitioners, let the petitioners above named be released on bail *after framing of charge* on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Dehri (Rohtas) in connection with Dehri (T) P.S. Case No. 536 of 2023, subject to the following conditions:-

(i) 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 by this Court below.

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

(iii) However, the Court below is directed to frame



the charges within one month from the date of receipt of this
order.

(Ramesh Chand Malviya, J)

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