

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1442 of 2025

Arising Out of PS. Case No.-124 Year-2013 Thana- RAJPUR District- Buxar

=====

Pramod Kharwar @ Pramod Prajapati Son of Sudarshan Kharwar Resident of
Village- Biri Bari, P.S.- Chandwak, Distt.- Jaunpur, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Soni Kumari, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 239 of 2024 arising out of Rajpur (Buxar)
P.S. Case No. 124 of 2013 instituted for the offence under
Section 395 of the Indian Penal Code.

3. Prosecution case as emanated from the FIR is that
six miscreants looted truck, who is driver of the informant, and
threw the informant and co-driver after tiding their hands and
legs.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-08-2023. Petitioner
bears one criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, and the same has no evidentiary value in the eye of law. Nothing is recovered from the possession of the petitioner. Petitioner was not put on T.I.P. Charge is framed in this case. There is no likelihood of the trial being concluded in the near future.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. A report was called for from the Trial Court and it is reported that charge in this case is framed on 19-10-2024, but no prosecution witnesses have been examined as yet. It is further reported that trial is likely to be concluded within a period of six-nine months.

8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge being framed as also there is no likelihood of the trial being concluded in the near future, this Court is inclined to grant bail to the petitioner.



9. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 239 of 2024 arising out of Rajpur (Buxar) P.S. Case No. 124 of 2013, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

