

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30459 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Guddu Keshri, Son of Braj Kishore Keshri, resident of Village-
Gausganj, P.O. - Ara Chowk, P.S. Ara Town Nagar, District- Bhojpur at
Ara.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate
Mr. Pranav Kumar

For the State : Mr. Akshay Lal Pandit

For the informant : Mr. Anant Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 25-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
13.03.2017 in connection with Ara Town P.S. Case No. 119 of
2017 for offences punishable under Section 302 and other allied
Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was sitting in his sweet shop along with his younger
brother Ashok Chaurasia (deceased) the petitioner along with six
other accused persons variously armed with lathi, chhura came to
his shop, who also had a sweet shop near his shop and Bhuwar



Keshri @ Arun Keshri and Ajay Keshri @ Nanhki Keshri inflicted chhura blow on his brother Ashok Chaurasia, as a result he succumbed to the injuries. The cause of enmity is that both have a sweet shop and it was a business rivalry.

It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been alleged to have been committed by him and at best he was a member of the unlawful assembly. In fact, he was not even at the place of occurrence as he is employed at Gurgaon, U.P. and in Data Wind Innovation Pvt. Ltd. since 4th of January, 2017. It is further submitted that the allegation is upon two persons and only two injuries have been found as per the post mortem report. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel for the informant as well as learned APP for the State oppose the prayer for bail stating therein that younger brother of the informant has been killed by the petitioner and co-accused.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on



bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Town P.S. Case No. 119/2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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