

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36326 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -MEHDIGANJ District- PATNA

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Sanjay Kewat Son of Late Sitaram Kewat resident of Village - Dal Dali
Ganj, P.S. Mehandiganj, District - Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is seeking regular bail in Mehandiganj
P.S. Case No. 05 of 2017 corresponding to Sessions Trial No. 440
of 2017 registered under Sections 147, 148, 149, 323, 307, 379,
385, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that so far
as the present petitioner is concerned, the allegation against him is
that he and one Santosh Kewat had assaulted the informant by leg
and fist. Learned counsel submits that there are general and
omnibus allegations of assault against all the accused persons. His
submission is that the petitioner has been falsely implicated due to
previous enmity. He would further submit that in the present case
now investigation is over and police has already submitted a
charge sheet, thereafter, charges have already been framed. Save



and except the present petitioner, all other accused have been granted bail in the present case. His submission is that the case of the petitioner is similarly situated to the case of Santosh Kewat, who has been granted regular bail by a co-ordinate bench of this Court in Cr. Misc. No. 27434/2017.

Learned A.P.P. representing the State though opposed the prayer for bail but on the facts there is no denial that the case of the petitioner stands on equal footing with Santosh Kewat, who has been released on bail by a co-ordinate bench of this Court.

Considering the facts and circumstances, let the petitioner, namely, Sanjay Kewat, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XIII, Patna in connection with Sessions Tr. No. 440/2017, arising out of Mehandiganj P.S. Case No. 05 of 2017, subject to the conditions as laid down under Section 437(3) Cr.P.C. and that the petitioner shall put in appearance as and when required by the trial court and two consecutive defaults in putting appearance shall lead to cancellation of his bail bonds by the learned trial court.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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