

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28494 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- BELCHHI District- Patna

ROHIT KEVAT S/o Sudhir Kevat Resident of Village-Bakara, P.S.-Bind,
District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Additional Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner and the
State through Video Conferencing.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 325,
307, 302 and 504 of the Indian Penal Code.

The prosecution case in brief, as contained in the
fardbeyan of informant, Pintu Kumar, is that on 02.11.2019 at
about 9:00 AM, the informant went to plough his land at Gangti
with the help of this tractor. In the meantime, Ram Pravesh Raut
and seventeen others, named accused persons, including this
petitioner have arrived there with arms and ammunition and
started abusing him and also stopped his ploughing work. The
accused persons have assaulted the father of the informant by
rod and when the brother of the informant, namely, Chintu



Kumar, tried to rescue him, they all have brutally assaulted Chintu Kumar. Chintu Kumar was died in Emergency Ward on 03.11.2019 at about 1:30 AM.

It is submitted by learned counsel for the petitioner that altogether 18 persons including the petitioner have been named in the FIR with allegation that they assaulted the brother of the informant with lathi. However, on the other hand, post mortem report of the deceased reveals mainly three external injuries and on dissection, injuries of head has been stated to be fatal. Learned counsel submits that on going through the allegation made in the FIR, it is unsafe to say that the injury caused by the petitioner proved fatal. Besides this, no overt act has been alleged against the petitioner. There is old land dispute between the parties. It is stated by learned counsel for the petitioner in paragraph 3 of the bail petition that petitioner has got no criminal antecedent. Similarly situated co-accused, namely, Ghanshyam Raut, has already been granted bail vide order dated 01.06.2020 passed in Cr. Misc. No. 15215 of 2020. Petitioner is in custody since 04.11.2019.

Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Barh in connection with Belchi Police Station Case No. 67 of 2019 on the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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