

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.14583 of 2021**

Arising Out of PS. Case No.-341 Year-2020 Thana- KHAJEKALA District- Patna

SANJAY KUMAR KESHARI @ SANJAY PRASAD KESHARI @ SANJAY KESHARI Son of Late Krishna Prasad Keshari Resident of Mohalla Pachim Darwaja Deshari Market, P.S.- Khajekala, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Rudra Deo, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      23-06-2021                      Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ram Chandra Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Special Case No. 6521 of 2020 arising out of Khajekala P.S. Case No. 341 of 2020 registered for the offences punishable under Sections 341, 323, 354, 504, 506 of the Indian Penal Code and 37 (b) (c) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that as per the prosecution story, this petitioner who happens to be the cousin brother of the informant came to the house of the informant in intoxicated condition and started abusing and assaulting her and



her son Rishav Kumar.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is cousin brother of the informant and the present case has been lodged against him due to a land dispute between them. The petitioner is in custody since 9.11.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner is cousin brother of the informant, there is a land dispute and for that reason he has been falsely implicated in this case, the petitioner has remained in jail in connection with this case since 9.11.2020, he has otherwise no criminal antecedent, investigation against him is complete but the trial is not likely to be concluded in near future, considering all these submissions, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Patna in connection with Khajekala P.S. Case No. 341 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) That such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

