

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 16377 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- GHOSI District- Jehanabad

SHAILESH KEWAT SON OF NEPALI KEWAT RESIDENT OF VILLAGE-
CHUNUKPUR, PS-GHOSHI, DISTRICT-JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms Kumari Anupam, Advocate
For the State	:	Mr Arvind Prasad Singh, APP
For the Informant	:	Mr Pramod Kumar, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 16-09-2021

This case has been taken up for consideration today through Video Conferencing.

Heard learned counsel for the petitioner; learned counsel for the informant and learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioner seeks bail in Ghosi Police Station (for brevity, *PS*) Case No 313 of 2020 instituted for the offence punishable under Sections 302/34 of Indian Penal Code.

Informant's son, said to be mentally unstable, has been assaulted by six named accused persons including the instant petitioner after tying him with rope.

It is stated by the petitioner's counsel that as per allegation, the victim was beaten in the house of co-accused



Sudama Kewat. The petitioner has been implicated because he is neighbour of the said Sudama Kewat. As per narration of allegation, informant is not an eye witness. The petitioner has no criminal antecedent and he is in custody since 27.07.2020. Similarly situated co-accused Kunal Kewat has been allowed bail by this Court by order dated 13.08.2021 passed in Cr Misc No 16899 of 2021.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad in connection with Ghoshi PS Case No 313 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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