

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16899 of 2021**

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

Kunal Kewat Son of Ramashish Kewat Resident of Village- Chunukpur, P.S.-
Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Ms. Kumari Anupam, Adv.
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP
For the Informant	:	Mr. Pramod Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 13-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular in a case registered under sections 302 and 34 of the Indian Penal Code.

As per allegations in the F.I.R., it is stated by the informant that his son who was mentally unstable went out of his house and entered in the house of one Sudama Kewat where the six named accused persons including the petitioner herein making allegations that he was a thief started to assault him with *lathi, danda* after having tied him up with rope. He was taken to the hospital but died in course of treatment.

It is submitted by learned Senior Counsel for the



petitioner that the allegations as levelled in the F.I.R. are false and concocted. With reference to the F.I.R. it is submitted that the time of occurrence is stated to be past midnight. It is submitted that taking him to be a thief he was assaulted by the public, leading to his unfortunate death and thereafter the instant F.I.R. has been registered with a different narration. The allegations are general and omnibus in nature. The petitioner is in custody since 27.7.2021 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but there is direct allegation against him that he along with other accused persons tied up the son of the informant who was mentally unstable and assaulted leading to his death. Thus it is prayed that the application for bail be rejected.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for more than 1 year and investigation in the case having concluded, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Ghosi P.S.



Case no. 313 of 2020 on furnishing bail bond of Rs.10,000/
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Jehanabad.

(Partha Sarthy, J)

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