

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13720 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- SARMERA District- Nalanda

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Gauri Kewat, Son of Binde Kewat Resident of Village- Mohadipur, P.S.-
Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27046 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- SARMERA District- Nalanda

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Kundan Kewat, Son Of Jay Ram Kewat R/O- Village- Mohadipur, P.S.-
Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 13720 of 2022)

For the Petitioner/s : Mr. Bikram Deo Singh
Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Manoj Kumar

(In CRIMINAL MISCELLANEOUS No. 27046 of 2022)

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with

Sarmera P.S. Case No. 18 of 2021, registered for the

offences punishable under Sections 341, 323, 302, 385,



387, 504, 506 and 34 of I.P.C. and Section 27 of the Arms Act.

As per allegation, the informant and her husband went to the market for purchasing some household articles. When they were returning from the market, one Kundan Kewat along with Gauri Kewat waylaid the informant and her husband and demanded Rangdari of Rs. 10,000/-. When the husband of the informant refused to give him the money, Gauri Kewat opened fire on the husband of the informant, on the order of Kundan Kewat, which hit the chest of the deceased. They also assaulted the deceased by fists and slaps.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He also submits that Gauri Kewat, (petitioner in Cr. Misc. No. 13720 of 2022) and Kundan Kewat (petitioner in Cr. Misc. No. 27046 of 2022) have been languishing in jail since 30.03.2021 and 20.07.2021, respectively.

Learned counsel for the informant and the State vehemently opposes the prayer for bail of the petitioners



saying that both the petitioners are main accused with serious allegation against them of killing the deceased. The learned counsel for the informant further submits that the petitioners had killed the deceased on non-fulfillment of illegal demand of extortion. He also submits that the P.M. report also supports the alleged offence in view the fact that the victim had died of firearm injury. He also submits that the charge-sheet has already been submitted and charge has been framed.

Considering the aforesaid facts and circumstances, particularly the serious nature of allegation as well as the material on record, I am not persuaded to enlarge the petitioners on bail at this stage.

The prayer for bail is rejected.

Both the petitions are dismissed accordingly.

(Jitendra Kumar, J)

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