

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15722 of 2022

Arising Out of PS. Case No.-360 Year-2020 Thana- GOGRI District- Khagaria

Raj Kishor Keshri Son of Shital Prasad Keshri Resident of Village - Ratan,
P.S. Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mohit Agrawal, Advocate
	:	Mr. Lokesh Kumar, Advocate
	:	Ms. Sushmita Mishra, Advocate
	:	Mr. Rahul Kumar, Advocate
For the State	:	Mr. Ramchandra Singh, APP
For the Informant	:	Mr. Jainendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 21-09-2022 Heard learned counsel appearing on behalf of the
petitioner, learned APP appearing on behalf of the State and
learned counsel for the informant.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Gogari
P.S. Case No. 360 of 2020 registered for the offence under
Sections 448, 341, 323, 324, 506, 307 and 34 of the Indian
Penal Code, in which Section 302 of the Indian Penal Code has
been added later on.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.11.2021.



The allegation against the petitioner is to commit murder of father-in-law of the informant, alongwith other co-accused persons, by making assault with '*Farsa*', causing head injury.

Learned counsel appearing on behalf of the petitioner submitted that for the same set of occurrence, wife of the petitioner is also informant, for which Gogari P.S. Case No. 361 of 2020 was registered. It is submitted that, as per post mortem report, fatal head injury was caused by hard and blunt substance, as nature of wound found lacerated, whereas it is alleged through F.I.R. that petitioner was equipped with '*Farsa*', which by all probability, may cause only sharp cut injury, creating doubt over the entire allegation. It is further submitted that due to family dispute and differences, the petitioner has been falsely implicated in the present case, who is otherwise a man of clean antecedent. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel for the informant, opposes the prayer of bail.

In view of the facts and circumstances, as mentioned



above, and by taking note of contradictions of injury *qua* nature of weapon alleged to cause injury coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Gogari P.S. Case No. 360 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 learned Chief Judicial Magistrate, Khagaria/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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