

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19023 of 2022

Arising Out of PS. Case No.-470 Year-2021 Thana- BARAUNI District- Begusarai

KESHAV KUMAR S/o Ram Sagar Sharma Resident of Village- Pipra Devas,
P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Barauni P.S. Case No. 470 of 2021 registered for the alleged offences under Sections 341, 323, 324, 307, 504 and 427 of the Indian Penal Code and Section 37(c) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that due to some dispute with his sister-in-law, the petitioner assaulted his father and his brother, the informant of this case. The petitioner assaulted the informant with knife and he was in inebriated condition.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The informant has not been giving share in ancestral property to this petitioner. Only a minor quarrel took place between the brothers and thereafter informant instituted this case. There was no intention to commit murder and other offence mentioned in the FIR are bailable in nature. From the injury report, it is clear that informant received only multiple abrasion over elbow joint (both) skin of legs, there is only small incised wound over left flank, cut mark on palmer region of left hand, and another incised wound over right side of chest apart from cut marks on both thigh which have been caused by knife but the injuries are not live threatening. Learned counsel further submits that it is a family dispute and the matter has been compromised. The petitioner is in custody since 13.11.2021 and in two other cases he is on bail.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner assaulted the informant with knife and gave multiple blows.

Having regard to the submission made hereinabove and considering the nature of injuries and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Judge Excise Act-I, Begusarai in connection with Barauni P.S. Case No. 470 of 2021, subject to the other conditions as laid down under Section 437(3) of the Cr.P.C.

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) The petitioner will not indulge in similar type of offences in future.
- (v) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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