

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49182 of 2022

Arising Out of PS. Case No.-472 Year-2020 Thana- PARBATTa District- Khagaria

KESHAV KUMAR SINGH @ SIXER S/o Manoj Singh Resident of Village-
Nayagaon (Satkutti), P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard Mr. Bipin Kumar, learned counsel for

the petitioner and Mr. Amitesh Kumar, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Parbatta P.S. Case No. 472/2020 registered for the offences

punishable under Sections 302/201/34 of the I.P.C.

As per prosecution case lodged by *Chowkidar* a

dead body of a person was found lying near the house of

Pappu Sangahi having deep injury on the head. The FIR

was lodged against unknown persons.

Learned counsel for the petitioner submits that the

petitioner is not named in the FIR, however, during course



of investigation, confessional statements of co-accused persons, namely, Kunal Kanhaiya and Chhotu Kumar @ Chhotu Thakur were recorded wherein they have stated that co-accused Rohit Kumar killed the deceased by means of sharp cutting weapon and bullet and he (Rohit Kumar) has been granted bail by this Court in Cr. Misc. 41455 of 2021. Learned counsel further submits that from perusal of the postmortem report, it would be evident that the deceased did not receive any fire-arm injury and the cause of death is due to assault upon the deceased by hard and blunt substance. It is further submitted that even if the confessional statement of the co-accused persons is taken, for the sake of argument, the same is not corroborated by the postmortem report of the deceased. He next submits that petitioner is a stranger to the deceased and his family members and he has not committed any offence in the manner alleged.

On the other hand, learned counsel for the State, referring to the case diary, submits that co-accused Chhotu Kumar in his confessional statement at paragraph 73 of the case diary has taken the name of the petitioner. As such, the



petitioner does not deserve the privilege of bail.

Having regard to the submissions made by the parties and taking into consideration the material on record and the nature of allegation and fact that the death of the deceased has not been caused by fire arm injury, the petitioner is in custody since 22.6.2022, the charge-sheet has been submitted in the matter and other co-accused person has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Khagaria, in connection with Parbatta PS Case No. 472/20.

(Anil Kumar Sinha, J)

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