

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54084 of 2022

Arising Out of PS. Case No.-123 Year-2022 Thana- GUTHANI District- Siwan

Keshaw Kumar Son Of Rampyar Ram R/O Village- Nainijor, P.S.- Guthani,
District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party : Mr.Tarun Prasad Mandal, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the offences punishable under Sections 341,323,325,307,302,504/34 of the Indian Penal Code.

As per the prosecution case, this petitioner called informant's son on the phone, thereafter he and other accused persons assaulted him, who died during treatment.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case only on suspicion. Informant is not eye witness of the occurrence and as a matter of fact, while taking meal marpit took place between the parties in which victim sustained injuries which resulted into his death. No specific overt act has been alleged against the petitioner. As stated in paragraph 3 of the bail petition, petitioner has got clean antecedent.



Learned counsel for the State opposes the prayer for bail submitting that there is specific allegation against the petitioner that he called the victim on phone and then with aid of other accused persons assaulted him to death.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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