

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26641 of 2024

Arising Out of PS. Case No.-596 Year-2022 Thana- BIHAR District- Nalanda

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Ravi Kumar Kewat@ Ravi Kewat Son Of Suresh Kewat Village- Bakra Ps
-Griyak District -Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh

For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-08-2024 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner has prayed for bail in connection with Bihar P.S. Case No. 596 of 2022 instituted for the offence under Sections 420, 406, 467, 468, 209, 193, 471 and 34 of the Indian Penal Code.

3. The prosecution case in brief is that one Keshav Kumar, in charge Bench Clerk, Juvenile Justice Board, Bihar shariff gave a written report vide letter No. 144 dated 17.08.2022 to office In charge Bihar(Nalanda), as per order of Chief Judicial Magistrate Biharsharif alleging therein that one Ravi Kumar Kewat is in judicial custody in connection with Giriya P.S. Case No. 236 of 2022 has appeared before Juvenile Justice Board on 10.08.2022 in JJB Case No. 658 of 2022 then informant gave an application on 17.08.2022 stating therein that



one Ravi Kumar Kewat, who is in custody is innocent and he is different from Ravi Kumar Kewat, who has committed the murder. It is further alleged that in place of real accused, namely, Ravi Kumar Kewat, one minor child, namely, Gautam Kewat @ Matalua, is in custody. Thereupon, asked from Ravi Kumar Kewat, who stated that Mausaa and Mausi are present in the Board and it is claimed by the informant that Mausaa, namely, Ravi Kumar Kewat, who is present in the Board is the real accused.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. It is further submitted from para-9 of the petition that the petitioner went to the Court on being informed that son of my Sadhu(brother-in-law) has implicated in any false case and he was called by the Advocate of the petitioner for some paper work other than this fact, the petitioner had no knowledge about his case. Moreover, he is languishing in judicial custody since 18.08.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that in para 11 confessional statements of real accused Ravi Kumar Kewat and Kajal Devi w/o of Ravi Kumar Kewat were recorded in which



they clearly stated that fraudulently this petitioner got surrendered to one Gautam Kewat @ Matalua, who is minor, in his place before the Court. Minor boy is son of his *Sarhu* and they also accepted that for this wrongful act, they have paid Rs. 10,000/- to his parents. In para 7 of the case diary, statement of witness Arvind Kumar was recorded in which he has supported the prosecution story and submitted that petitioner has used forged documents of minor boy to get him in custody in his place. In para 2 of the case diary, restatement of informant was recorded in which he has also supported the prosecution story.

6. Having heard the learned counsel for the parties and considering the fact that petitioner has spoiled the future of a minor boy, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

8. The trial court is directed to expedite the trial and conclude the same within a period of six months as mentioned in progress report dt. 12.7.2024 sent by court below, failing which petitioner may renew his prayer for bail.

(Sunil Kumar Panwar, J)

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