

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20953 of 2025

Arising Out of PS. Case No.-514 Year-2024 Thana- HARNAUT District- Nalanda

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1. Kallu Kewat @ Sonu Kumar S/o Ganauri kewat R/o Village- Rupaspur P.S.- Harnaut, District- Nalanda
 2. Ganauri Kewat S/o Late Tunnu Kewat @ Tunhu Kewat R/o Village- Rupaspur P.S.- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard Mr. Sudhir Kumar, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Harnaut P.S. Case No. 514 of 2024 for the offence under Sections 109(1) and 351(3) of the B.N.S., lodged on 31.12.2024 by the informant, Upendra Kumar.

3. As per the prosecution story, the informant alleged that during panchayati in a temple, the accused persons came and opened fire informing that the case pending be withdrawn or will have to face consequences. This led to the F.I.R.

4. Learned counsel for the petitioner submits that



though allegation of opening fire is against this petitioner along with the Pawan Kewat, the fact remains that the petitioner no.1 has criminal antecedent. Though the other petitioner, Ganauri Kewat has antecedent, allegation of firing is not on him. Last submission is that he is ready to visit Harnaut Police Station two hours daily for a week to clean the campus and at the end of the week shall be planting sapling and the photographs will be taken.

5. Learned APP opposes the prayer for bail submitting that the petitioner has opened fire.

6. Considering the submissions put forward by the parties as also the fact that the petitioner no.1 is young, 21 years of age, do not have criminal antecedent while the petitioner no.2 though antecedent is there, allegation of firing is not there, in that background, this Court is inclined to extend them the privilege of anticipatory bail. They shall be visiting the Harnaut Police Station for two hours daily for a week to clean the campus and at the end of the week shall be planting saplings, the SHO shall be providing photographs and their attendance through Mr. Jitendra Kumar Singh, learned APP.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the



receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st Class, Bihar Sharif, Nalanda, in connection with Harnaut P.S. Case No. 514 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

8. Let the name of Mr. Jitendra Kumar Singh, learned APP appear in the cause list.

9. List this case on **04.07.2025** under the heading ‘To Be Mentioned’ to peruse the report sent by the SHO, Harnaut Police Station.

(Rajiv Roy, J)

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