

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22583 of 2025

Arising Out of PS. Case No.-219 Year-2024 Thana- PATNA RAIL P.S. District- Patna

Mahesh Kewat S/o Late Ramchander Kewat @ Jogi Keawat Resident of
Village/Mohalla- Bakra, Police Station- Bind, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 23-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State

2. The petitioner seeks bail in connection with Rail
P.S. Case No. 219 of 2024, dated 31-03-2024, registered for
offences punishable under Sections 328,302 and 379 of the
Indian Penal Code.

3. The prosecutions case, in short, is that the
informant's son, Gautam Paswan, reached Patna from
Maharashtra on 13.03.2024 and informed his mother upon
reaching Patna Junction around 11:15 AM. In the early hours of
14.03.2024, the family was informed that Gautam was found
unconscious on platform no. 10 and was taken to P.M.C.H. for
treatment, where he later died on 19.03.2024. The doctor opined
the cause of death was poisoning. It is alleged that someone



administered poison to him and took away his mobile and belongings.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is not named in the FIR and stands implicated merely on the basis of his self-confessional statement in connection with Rail Patna P.S. Case No. 272 of 2024. It is further submitted that the alleged occurrence took place on 13.03.2024, the informant's *fardbeyan* was recorded on 19.03.2024, yet the FIR was registered belatedly on 31.03.2024 against unknown persons. Further submission is that no incriminating article has been recovered either from the conscious possession of the petitioner or from his house. Furthermore, no Test Identification Parade (T.I.P.) has been conducted till date. It is next submitted that the petitioner has been falsely implicated in this case due to his past criminal antecedents. The charge sheet in the present case has already been submitted. Lastly, it is submitted that although four other criminal cases are pending against the petitioner, he has been in custody since 28.05.2024 in connection with this case.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XXXII, Patna in connection with Rail P.S. Case No. 219 of 2024 in Sessions Trial No. 1192 of 2024, subject to the following conditions: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.



7. The application stands allowed.

(Khatim Reza, J)

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