

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70324 of 2024**

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

Keshaw Kumar S/o- Rampyar Ram Village- Nanijor Police station- Guthani  
District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      07-02-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 325, 307, 302, 504 and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 06.05.2022, one call of this petitioner came on the mobile of informant's son for coming and on this informant's son went away. At around 11:45 PM, informant got information that his son was seriously injured thereafter he brought his son to the Guthni PHC with the help of villagers from where he was referred to Siwan Sadar hospital, thereafter Gorakhpur. Later on, informant came to know about the occurrence that all the accused persons including this petitioner and 15-20 unknown persons assaulted



his son by means of rod, *lathi*, *danda*, brick, stone, as a result of which, he sustained head injury and lastly, he succumbed to the injury during treatment at Gorakhpur.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely on suspicion. Further submission is that no specific allegation of assault has been alleged against this petitioner. Informant is not an eye witness to the occurrence and has not disclosed the source of information as to how he came to know about the involvement of this petitioner in the occurrence. There is no corresponding injuries as more than 20 persons assaulted the son of informant but no such injuries were found. Similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court *vide* order dated 05.03.2024 passed in Cr. Misc. No. 77664 of 2023. Petitioner is in custody since 10.06.2024. Petitioner claims clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate-I, Siwan, in  
connection with Guthani P.S. Case No. 123 of 2022.

**(Prabhat Kumar Singh, J)**

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