

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83300 of 2025**

Arising Out of PS. Case No.-47 Year-2024 Thana- MATIHANI District- Begusarai

Keshav Kumar S/o- Munna Singh Resident of Village- Ramdiri
Labhaharachak Tola PS- Matihani District-Begusarai Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Shankar, Advocate
Mr. Nausheen Fatma, Advocate
Mr. Raj Kumar, Advocate
Ms Archana Kushwaha, Advocate
For the Opposite Party/s : Mr. Keshav, Advocate
Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Matihani P.S. Case No. 47 of 2024 registered for the alleged offences under Sections 307, 323, 341, 379, 447, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons, who were variously armed, came to the house of the informant and asked him to withdraw the case filed by him against the petitioner side. Allegation against the petitioner is that he hit on the head of the informant with butt of a pistol, causing its fracture. When the brothers of the informant came



for his rescue, they were also assaulted.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case between the parties. The mother of the petitioner has filed Matihani P.S. Case No. 48 of 2024 against the informant of the present case under Section 147, 341, 323, 307, 379/34 of IPC. Earlier, sister-in-law of the petitioner has filed Matihani P.S. Case No. 190 of 2023 against the son of the informant, which was registered under Sections 457, 380, 34 of IPC. As an afterthought and in a planned action to save themselves from theft case lodged earlier by the sister-in-law of the petitioner, this false case has been lodged by the informant. Learned counsel further submits that the allegation against the petitioner is of hitting the informant on his head with butt of pistol. Thus, there was no intention to cause death. Other allegations are general and omnibus against all the accused persons. The petitioner is in custody since 01.09.2025 and charge-sheet has been submitted. The petitioner is having antecedent of two cases and both cases have been lodged by the informant side.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and background of dispute and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai/court concerned in connection with Matihani P.S. Case No. 47 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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