

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18226 of 2021**

Arising Out of PS. Case No.-346 Year-2020 Thana- TEKARI District- Gaya

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RAMAASHISH YADAV S/O LATE RAGHO YADAV R/o village- Chhakan
Bigha, P.S.- Tekari, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr Choubey Jawahar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 26-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, APP) appearing for
the State of Bihar.

The petitioner seeks bail in Tekari Police Station (for
brevity, PS) Case No 346 of 2020 instituted for the offence
punishable under Sections 323, 342, 307, 504, 506, 354/34 of
Indian Penal Code.

There is alleged indiscriminate assault by the accused
persons as per the prosecution case. Family members of the
informant have sustained injuries in the process.

Learned counsel for the petitioner submits that the
occurrence has occurred at the spur of the moment based on
trivial dispute. There is case and counter case. The counter



version of the case is to be found in Tekari PS Case No 347 of 2020. Learned counsel for the petitioner refers to the order of rejection passed by the learned Additional Sessions Judge III, Gaya to submit that though injury has been sustained on bone of the head, the Computed Tomography Scan reveals mild scalp swelling in right front of parietal region. The petitioner has remained in custody since 25.09.2020, having no criminal antecedent.

Learned APP has opposed the prayer for bail. It is submitted that injury has been sustained on the vital part.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, First Class, Gaya in connection with Tekari PS Case No 346 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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