

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16259 of 2022

Arising Out of PS. Case No.-112 Year-2020 Thana- GAUNAHA District- West Champaran

Shailesh Yadav S/O Sri Lalbabu Yadav R/o village- Belwa Bahuwari, P.S.-
Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s :	Mr. Madan Kumar, A.P.P.
For the Informant :	Mr. Shambhu Sharan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-05-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Gaunaha
P.S. Case No. 112 of 2020 registered under Sections 323, 324,
307, 427, 379, 447, 504, 506 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 24.01.2022, charge-sheet has been
submitted in the case, has antecedent of two cases and the
informant alleges that he was repairing his hut when on account
of previous enmity the named accused persons including the
petitioner came at the door of the informant and forbade him
from repairing his hut and started abusing, thereafter it is
alleged that Lalan Yadav gave Farsa blow on the head of the
informant causing injury and when Sandeep Yadav came to



rescue him then accused Dheeraj assaulted him with an iron rod on his left hand and other part of the body, as a result of which he sustained grievous injury, thereafter the father of the informant protested on which the petitioner along with other two accused assaulted him and also damaged the hut and Dheeraj snatched golden chain from the neck of the informant's father and Dilip took out Rs. 2,000/- from the pocket of the informant.

The learned counsel submits that the petitioner has been falsely implicated in the present case and even presuming what is alleged is true without admitting for the purposes of bail then the allegation is of assaulting the father of the informant and from perusal of Annexure '3' at page 20 it would manifest that the father of the informant received a bruise over left scapula region and the injury was simple in nature.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner, learned counsel for the informant submits that petitioner has two antecedent in the event if the petitioner is granted bail then he will delay the process of trial.

Considering the fact that the petitioner is in custody since 24.01.2022, charge-sheet has been submitted in the case and in the nature of injury received by the victim, the petitioner



above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaunaha P.S. Case No. 112 of 2020, with a condition that one of the bailors shall be the *Aunt* of the petitioner namely Urmila Devi.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned court below shall, forthwith, cancel his bail bond after recording reason.

(Satyavrat Verma, J)

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