

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19564 of 2022**

Arising Out of PS. Case No.-51 Year-2021 Thana- AMAS District- Gaya

1. Shambhu Yadav Son Of Late Basudeo Yadav.
 2. Bablu Yadav @ Babloo Yadav @ Bablu Kumar Son Of Shmabhu Yadav,
both R/O Village- Pranpur, P.S.- Amas, District- Gaya
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-08-2022 Heard learned counsel for the petitioners and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioners are in judicial custody in connection
with Amas P.S. Case No.51/2021 instituted under Sections 341,
323, 379, 307, 354(B), 504/34 of Indian Penal Code.

As per the allegation in the FIR, it has been alleged
that as her she-goat entered into the field of petitioner no.1, he
got enraged and it is further alleged that after abusing the
informant, she was assaulted and the petitioner no.1 tried to
outrage her modesty. It is further alleged that some more
persons came and the petitioner no.2 along with his uncle came
variously armed and assaulted Shashi Kumar as also Ramesh



Kumar. It is further alleged that accused Vikash Kumar assaulted Pramod Yadav.

Coming to the case of petitioner no.2, learned counsel for the petitioner submits that a bare perusal of Annexure-2 will show that the allegation of assault on Shashi Kumar has been made in the FIR who was medically examined and the doctors as opined his injuries to be simple in nature. He further submits that the petitioners are in custody since 30.12.2021 (as stated in para-13 of the bail application).

Taking into account the fact that so far as the petitioner no.1 is concerned, there is allegation of outraging the modesty of the informant, the allegation against the petitioner no.2 is that of assaulting Shashi Kumar whose injuries have been opined to be simple in nature by the doctor, both of them are in jail since 30.12.2021 and charge sheet stands submitted, this Court is inclined to grant them privilege of bail with certain conditions in view of the fact that both have criminal antecedent.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Amas P.S. Case No.51/2021 to the satisfaction of learned Judicial



Magistrate, Ist Class, Sherghati at Gaya, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of their bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark their presence;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

