

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24506 of 2022

Arising Out of PS. Case No.-116 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Ramashish Yadav Son of Anandi Yadav Resident of Village - Kusumbha, Tola
Badhaya, P.S.- Kusumbha O.P., District - Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 04-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The has been registered under sections 147, 148, 149,
323, 307 and 504 of the Indian Penal Code in connection with
Sheikhpura (Kusumbha O.P.) P.S. Case No. 116 of 2022.

The allegation in the FIR is that the accused persons
including the petitioner herein came variously armed and
assaulted the informant. Further allegation against the petitioner
is of opening fire causing injury in the hand. There is also
allegation of assault by 'sword' and 'stick' attributed to the other
accused persons.

Learned counsel for the petitioner submits that there is
case and counter case related to the same occurrence
(Sheikhpura (Kusumbha O.P.) P.S. Case No. 117 of 2022) has



been lodged by the petitioner herein. He further submits that due to land dispute, the alleged occurrence took place. However, taking into account the counter case, it can be presumed that allegation has been exaggerated by the informant attributing role to each and every persons. He further submits that for the said alleged act he is in custody since 13.3.2022 (as stated in para-13 of the bail application).

Taking into account the aforesaid facts that there is case and counter case and charge-sheet stands submitted besides the fact that the petitioner is in custody since 13.3.2022, this Court is inclined to grant him the privilege of bail with certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura (Kusumbha O.P.) P.S. Case No. 116 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for one year to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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