

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26175 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- PALI District- Jehanabad

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Ramashish Yadav Son Of Rajendra Yadav Resident Of Village - Sakraush
Tola, Tilak Bigha, Police Station - Ghoshi (Okri), District - Jehanabad.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-08-2022 Learned counsel for the petitioner submits that due to

inadvertence, some typographical mistake occurred in para. 3.

He seeks permission to correct the same.

Permission grated to correct the same in course of the

day.

Let the defect, if any, be removed within two weeks

from today.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks regular bail in connection with

Pali P.S. Case No. 54 of 2021 lodged under Sections 147, 341,

323, 307, 325, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution case, F.I.R. has been lodged

against fifteen named accused persons in which, specific



allegation is against the petitioner to assault by iron rod on the head of the informant.

Learned counsel for the petitioner submits that for the same date of occurrence i.e. 15.10.2021. which is said to be occurred at 8:30 PM, one F.I.R. from both the sides each has been filed – one is annexure -1 and another is annexure- 6.

Learned counsel for the petitioner submits that both the informant and the petitioner side are adjacent neighbours. There was an open fight taken place from both the sides and injury occurred to both the sides. Injuries of both the sides is annexed here in as Annexure-2 series and Annexure-6. He further submits that this dispute has taken place on petty issues. He Further Submits that the informant's side has again committed offence, due to which, another case in addition to Annexure-6 was filed by the petitioner's side. He further submits that due to which, present case and counter case was lodged. Learned counsel for the petitioner further submits that petitioner is aged about 55 years and is suffering from HIV⁺ since last 8 years. Due to which, he needs proper care and treatment which may not be possible in jail. He further submits that petitioner is in custody since 15.02.2022. Charge sheet has already been filed in this case. On the point of criminal



antecedent, he further submits that there is one case pending against the petitioner in which he is on bail.

Learned counsel for the State opposes the prayer for bail but admits that case and counter case is there and from the F.I.R., it transpires that open fight took place from both the sides.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jehanabad in connection with Pali P.S. Case No. 54 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.



With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

sanjeev/-

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