

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55998 of 2022

Arising Out of PS. Case No.-695 Year-2021 Thana- SHERGHATI District- Gaya

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Roushan Yadav @ Roushan Kumar @ Sandeep Kumar, Son of Late Arjun
Yadav, Resident of Village- Sherpur, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-12-2022 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sherghati
P.S. Case No.695 of 2021 registered for the offence punishable
under Sections 341, 323, 324, 325, 147, 149, 307, 504 and 506
of the Indian Penal Code.

While the informant was canvassing for his wife's
election, the canvassing party has been assaulted by the accused
persons, including the petitioner.

Specific allegation against the petitioner is of assault
on the head of Baiju Yadav by means of '*Lathi*'.

Learned counsel for the petitioner submits that injury



report of Baiju Yadav (Annexure 3) records that there is no visible injury.

Learned State Counsel submits that from the opinion column of the injury report, it is obvious that the injury has been found to be caused by hard and blunt substance.

Be that as it may, since the petitioner has now remained in custody since 28.06.2022 and it is averred in paragraph 3 of the petition that he is on bail in Sherghati P.S. Case No.220 of 2020 and as per prosecution case, the parties were on hostile terms due to the electoral canvassing, which gave rise to the instant case and a counter case also against the prosecution party of the instant case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati at Gaya, in connection with Sherghati P.S. Case No.695 of 2021, 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.

(Madhuresh Prasad, J)

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