

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36408 of 2023

Arising Out of PS. Case No.-721 Year-2022 Thana- WAJIRGANJ District- Gaya

Santush Kumar Son Of Naresh Yadav Resident Of Village -Paharpur, PS
-Wazirganj, District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE BIHAR STATE ELECTRICITY BOARD

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
For the O.P. No.2	:	Mr. Ajay Kumar Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2023 Heard Mr. Dharmendra Kumar Sinha, learned
counsel for the petitioner, Mr. Ajay Kumar Gautam, learned
counsel for the O.P. No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Wazirganj P.S. Case No. 721 of 2022 registered for the
offences punishable under Sections 341, 323, 325, 308 and
354/34 of the Indian Penal Code.

3. The petitioner along with other 9-10 accused
persons is said to have assaulted and abused one Shankar Yadav
while he was removing the default of electric supply and
sustained fracture injury on his hand at the hands of the
petitioner and other accused persons.

4. Learned counsel for the petitioner submits that from



the FIR, it is evident that no specific allegation has been levelled against the petitioner. However, even as per the injury report, which is the part of the FIR, it appears that injured Shankar Yadav received only a lacerated wound over his wrist and there is a swelling in the thumb of left hand apart from pain in the body. He further submits that the petitioner is a man of fair antecedent and only account of the fact that he was present there while the villagers were manhandled the labourer, which resulted into lodging of the FIR.

5. On the other hand, learned counsel for the O.P. No. 2, submits that the petitioner along with others obstructed in discharging the official duty and, as such, he does not deserve any sympathy.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injury, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Gaya in connection with Wazirganj P.S. Case No. 721 of 2022, subject to the condition as



laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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