

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32707 of 2025

Arising Out of PS. Case No.-670 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. Umesh Yadav Son of Late Sahdev Yadav R/O Village - Umarchak Bigha, P.S.- Daudnagar, District - Aurangabad, Bihar.
2. Gorelal Kumar Son of Shivnath Yadav R/O Village - Umarchak Bigha, P.S.- Daudnagar, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalbahadur Singh, Advocate

For the Opposite Party/s : Mr.Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 448 and 504/34 of the Indian Penal Code.

3. The case of the prosecution is that on 24.11.2022 at about 11:00 A.M. accused Janeshwar Yadav and other accused persons named in the FIR variously armed with different weapons forcibly entered into the house of informant and started abusing. It is further alleged that Umesh Yadav (the petitioner no. 1 herein) and Gudu Kumar assaulted the informant's son on the head with '*iron rod*' causing bleeding injury. When informant's son fell down then Gorelal Kumar (petitioner no. 2 herein) assaulted on the shoulder of both hands



causing deep injury as a result of which right hand of his son got fractured and when informant's wife Kunti Devi went to save informant's son, namely, Vikash Kumar then Jagnarayan Yadav and Guddu Kumar assaulted her on head with 'iron rod' and 'lathi'.

4. Learned counsel for the petitioners submits that the petitioners have earlier approached this Court and vide order dated 27.07.2023 passed in Cr. Misc. No. 30793 of 2023, the learned co-ordinate Bench while granting the anticipatory bail to the petitioners observed that :

“The learned trial Court before accepting the bail bonds of the petitioners shall verify the injury report of vikash and in the event, if it is found that Vikash has suffered grievous injury on his head, shoulder and right hand then in that event, the present anticipatory bail order shall not be given effect to in favour of petitioner no. 1 Umesh Yadav and petitioner no. 4 Gorelal Kumar and in the even, if it is found that there is no injury report of Viaksh or the injury is simple, in that even, the bail bonds shall be accepted forthwith.”

5. Learned counsel for the petitioners further submits that the injuries which has been received by the injured persons, from perusal of the order of the trial Court, it clearly transpires



that there is displaced fracture of Proximal Shaft of right ulna and also displaced fracture of bone of acromia process of left scapula and both the injuries are grievous in nature caused by hard and blunt substance. It is further submitted that though the injury is grievous in nature as described in the order of the trial Court but the same will fall within the ambit of section 325 of the Indian Penal Code which is bailable in nature. Moreover, the petitioners are languishing in judicial custody since 12.02.2025 having no criminal antecedent.

6. Learned APP appearing for the state has opposed the prayer of regular bail.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Daudnagar P.S. Case No. 670 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learnedSDJM, Daudnagar, Aurangabad, Bihar.

(Alok Kumar Pandey, J)

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