

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38899 of 2025

Arising Out of PS. Case No.-51 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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Umesh Yadav @ Umesh Rai @ Umesh Ray, S/o Ram Kisun Ray, R/o Village
Barharwa Khurd P.S Dumriyaghat, District East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Vasudev Singh, S/o Late Shiv Nath Singh, R/o Village Barharwa Khurd P.S
Dumriyaghat, District East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Jitendra Kumar, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Dumariaghat P.S. Case No.51 of 2023,
dated-17.02.2023, registered for the offences punishable under
Sections 341, 323, 324, 307, 379, 385, 447, 504/34 of the Indian
Penal Code.

3. As per allegation, altercation took place in regard to
drainage and the sons of the informant were assaulted. As per
the specific allegation, it is the co-accused, Harendra Prasad
Yadav, who has assaulted the victim by *farsa* causing sharp cut
injury on the head of the victim and as per the further specific
allegation, the co-accused, Sumesh Kumar Yadav has also



assaulted the victim by rod causing injury on the person of the victim and the allegation against the petitioner is only catching hold of the victim.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the co-accused, Sonu Kumar, Sunil Kumar Yadav and Sumesh Yadav have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 21.03.2024 passed in Criminal Miscellaneous No. 4641 of 2024 and the case of the petitioner stands on better footing than those of the co-accused.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances particularly the fact that the co-accused against whom the prosecution case is serious than that of the petitioner have already been enlarged on bail, **this petition is allowed**, directing



the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Dumariaghat P.S. Case No.51 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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