

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66537 of 2025

Arising Out of PS. Case No.-456 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Umashankar Yadav @ Umashankar Prasad Yadav, S/o Kamdev Ray, R/o
Village- Faijullapur, Rajapatti, P.S- Baikunthpur, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 456 of 2023 registered for the offences punishable under Sections 341, 323, 333, 307, 353, 427, 504/34 of the Indian Penal Code.

3. The allegation against the petitioner is of causing obstruction in discharge of official work of the police personnel. On the fateful day, while the police was conducting raid and found a person, suspecting him under influence of liquor and when the police asked to bring the breath analyzer machine, in the meanwhile altogether 50-60 persons assembled there and made ruckus and started brick batting and snatching of fire-arm of the police personnel, due to which some police personnel have sustained injuries.



4. Learned Advocate for the petitioner submitted that the petitioner is said to be the one of the person present in the mob. There is no specific allegation of any overt act, resulting into injuries to some of the constables, moreover the injuries, as alleged, are found to be simple in nature. Only on account of criminal antecedent, as has been mentioned in para. 3 of the bail application, the name of the petitioner has been implicated in this case. The petitioner undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that there is serious allegation against the petitioner that he along with others assaulted the police personnel and did not allow them to discharge their official duties.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the omnibus nature of allegation, coupled with the simple injury, as opined in the impugned order, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.20,000/-(Rupees twenty thousand) with two sureties of the



like amount each to the satisfaction of learned Additional District & Sessions Judge-XII, Gopalganj / concerned court in connection with Baikunthpur P.S. Case No. 456 of 2023, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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