

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84763 of 2025

Arising Out of PS. Case No.-56 Year-2023 Thana- GHOGHARDIHA District- Madhubani

Umesh Yadav S/O Baleshwar Yadav R/O Village- Bhelwa, P.S- Ghoghardiha,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate
For the State : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Ghoghardiha P.S. Case No. 56 of 2023 registered for the alleged offences under Sections 341, 323, 324, 325, 307, 379, 504, 560/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons, in the background of land dispute, assaulted the informant and his father causing a number of injuries to them. The legs of the father of the informant were fractured in this assault and this petitioner assaulted the informant on his head with *Farsa*. The co-accused brother of the petitioner also assaulted with *iron rod* on his head causing fracture.



04. Learned counsel for the petitioner submits that there is case and counter case and father of the petitioner has lodged Ghoghardiha P.S. Case No. 57 of 2023 against the informant side for the occurrence of same day. In the background of admitted land dispute, both sides entered into a free fight but there was no intention to cause death of any person. From the rejection order, it appears that there is no sharp cut injury on the informant for which the allegation against the petitioner, though some fractures have been seen over the head. Other co-accused persons Baleshwar Yadav and Ganesh Yadav have been granted anticipatory bail vide order dated 26.04.2024 passed in Cr. Misc. No. 77604 of 2023. The petitioner is having clean antecedent. The petitioner is in custody since 02.09.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of injury attributed to this petitioner and also considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds



of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Jhanjharpur, District - Madhubani/concerned Court in connection with Ghoghardiha P.S. Case No. 56 of 2023, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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