

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3024 of 2026

Arising Out of PS. Case No.-1320 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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Rajesh Yadav, Son of Umesh Yadav @ Umesh Prasad Yadav, Resident of
Village - Sonbigha, P.S.- Tankuppa, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aasha Devi, D/o Rajendra Yadav, Resident of Village- Sonbigha, P.S.-
Tankuppa, District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Gajendra Kumar Singh, Advocate
For the State	:	Mr. Abhay Kumar, APP
For the O.P. No.2	:	Mr. Akash Kumar Mishra, Advocate
		Mr. Abhay Kumar Singh, Advocate
		Mr. Rakesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-04-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the
complainant/opposite party no.2.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Complaint Case no.1320 of 2023, registered under sections
147, 148, 323, 341, 504, 452, 380 354, 120B and 34 of the
Indian Penal Code and sections 3 and 4 of the Daain Act.

3. As per the prosecution case, the complainant states
that on 7.7.2023 at 1:30 p.m. while she was in her house, the
accused persons including the petitioner herein came and started



to abuse her and started calling her a witch. He started threatening to kill her and in that process started pressing her neck. She further states that on the younger brother and others coming to the complainant's rescue, the petitioner as also his wife Rekha Devi, Ajeet Yadav, Phulwa Devi, Virendra Yadav and Ranju Devi all armed with *lathi* etc. came and assaulted the complainant and others as a result of which she was injured. Ranju Devi is said to have taken a gold chain from the neck of her mother.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of dispute over *raasta* between the parties who are co-villagers. It is submitted that it is for this reason that on conclusion of the enquiry, cognizance was taken against the petitioner alone and thus the entire prosecution story falls to the ground. The petitioner has no criminal antecedent and undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the opposite party no.2. It is submitted by learned counsel for the opposite party no.2 that not only the petitioner is named in the complaint but there is direct allegation against him of having abused and



assaulted the complainant.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the complaint, cognizance not having been taken against the other co-accused together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.1320 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Gayajee.

(Partha Sarthy, J)

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