

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8322 of 2026

Arising Out of PS. Case No.-743 Year-2025 Thana- BODHGAYA District- Gaya

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1. Jitendra Yadav @ Jitendra Kumar S/o- Kishori Yadav @ Nand Kishore Prasad Resident of Village- Hariharpur PS- Bodhgaya District- Gaya ji
 2. Pappu Yadav @ Pappu Kumar S/o- Kishori Yadav @ Nand Kishore Prasad Resident of Village- Hariharpur PS- Bodhgaya District- Gaya ji
 3. Chhotu Yadav @ Sandeep Kumar @ Kumar Sandeep S/o- Kishori Yadav @ Nand Kishore Prasad Resident of Village- Hariharpur PS- Bodhgaya District- Gaya ji
 4. Sonu Yadav @ Sonu Kumar S/o- Vijay Yadav Resident of Village- Amwan PS- Bodhgaya District- Gaya ji
 5. Amar Kumar S/o- Ram Pravesh Yadav Resident of Village- Newtapur PS- Bodhgaya District- Gaya ji
 6. Balla Yadav @ Sanjay KUMAR S/o- Shyamdeo Yadav Resident of Village- Pachhatti PS- Bodhgaya District- Gaya ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in connection with Bodhgaya P.S. Case No. 743 of 2025



instituted for the offences punishable under Sections 191(2), 191(3), 190, 115(2), 126(2), 117(2), 125, 74, 109(1), 352, 351(2) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the prosecution case, the informant along with his nephew Hasnain Khawas were pacifying the altercation between Jitendra Yadav and Chandan Paswan. It is alleged that all the petitioners along with other co-accused and 20-25 unknown persons came to his house and attacked by pelting stones and bricks etc. and it is alleged that the accused Jitendra Yadav and Chhotu Yadav with a view to kill the informant and his nephew started assaulting him by lathi and iron rod and both the persons got injured.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been dragged in this case in retaliation to the previous case lodged by one Suganti Devi being Bodhgaya P.S. Case No. 747 of 2025. It is submitted that there was specific allegation against the informant of the present case who had assaulted the said Suganti Devi and only in retaliation to the same the present false and concocted case has been registered. It is further submitted that from the injuries which have been discussed in the impugned order and from



perusal of the same it would be evident that all the injuries caused by hard and blunt substance. It has lastly been submitted that the petitioner no. 1 has one criminal antecedent, petitioner no. 2 has two criminal antecedents, petitioner no. 3 has three criminal antecedents, petitioner nos. 4 and 5 have no criminal antecedent and petitioner no. 6 has three criminal antecedents.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No. 743 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners;

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the



learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedents of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(vi) in view of the antecedents of the petitioners, the petitioners no. 1, 2, 3 and 6 are directed to appear before the Superintendent of Police concerned within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.



7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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