

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21820 of 2026

Arising Out of PS. Case No.-141 Year-2025 Thana- CHERKI District- Gaya

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1. Ugiya Devi Wife of Chandeshar Yadav @ Chandeshwar Yadav R/o Dirawan, Chamari Bigha, P.S. - Cherki, Distt.- Gaya Ji.
 2. Chandeshar Yadav @ Chandeshwar Yadav @ Chaneshwar Yadav Son of Devdhari Yadav @ Dev Dhari Yadav R/o Dirawan, Chamari Bigha, P.S. - Cherki, Distt.- Gaya Ji.
 3. Rohit Kumar Son of Chandeshar Yadav @ Chandeshwar Yadav R/o Dirawan, Chamari Bigha, P.S. - Cherki, Distt.- Gaya Ji.
 4. Pramod Kumar @ Pramod Yadav Son of Ghanshyam Yadav R/o Dirawan, Chamari Bigha, P.S. - Cherki, Distt.- Gaya Ji.
 5. Ashok Kumar @ Ashok Yadav Son of Ghanshyam Yadav R/o Dirawan, Chamari Bigha, P.S. - Cherki, Distt.- Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devashish Giri, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 08-04-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Cherki P.S. Case No.141 of 2025 lodged on 01.10.2025, for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 74, 351(2), 352, 117(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioners against whom there is allegation that they had assaulted the informant and his family members by iron rod, lathi-danda, due to which injury took place.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that both informant and petitioners are agnates and in the FIR, it has mentioned that for the preparation of *Chulha*, the dispute has arisen between them.

5. Counsel further submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. He further submits that the present case has been lodged by the informant with a view to retaliation for the same.

6. Counsel submits that the criminal antecedent of the petitioners is clean, except petitioner No.2 who have three criminal cases pending against him in which he is on bail.

7. Counsel further submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

8. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the pleading and the documents, it transpires that there is case and counter-case between the parties.

9. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Gaya Ji, in connection with Cherki P.S. Case No.141 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

10. So far as the petitioner No.2 is concerned, Trial Court is directed to verify that whether petitioner No.2 is absconding in the cases which are pending against him whose details are mentioned below. If it has been found that the petitioner No.2 is an absconder, then in that case, his bail bond shall be cancelled.

11. The cases which are pending against the petitioner No.2 states as follows:-

- I. Bodhgaya P.S. Case No.61 of 2011.
- II. Bodhgaya P.S. Case No.62 of 2011.
- III. Muffasil P.S. Case No.185 of 2008.

(Dr. Anshuman, J)

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