

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34307 of 2026

Arising Out of PS. Case No.-395 Year-2024 Thana- GAYA KOTWALI District- Gaya

Vijay Yadav @ Bijay Yadav S/o Late Deonandan Yadav R/o vill - Rahim
Bigha, P.s- Chakand, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Gaya Kotwali P.S. Case No. 395 of 2024 registered for the offences punishable under Sections 316(2) and 318(4) of the BNS.

3. As per the prosecution case, on 19.07.2024 at about 6:00 A.M., while the informant Madhuri Devi was walking in Azad Park, three to four miscreants armed with loaded pistol threatened her with dire consequences that all of the family members would be killed if she lodges any case for refund of the amount which was taken by them. It is alleged that in January 2023, Vijay Yadav and Nawal Prasad, who are known to her, introduced her to Dr. Uday Shankar Mishra and his son



Manish Mishra, assuring jobs for her children, and on that pretext, along with Annu Mishra, collectively cheated her of about Rs.43.25 lakhs through cash and online transactions.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the allegation of taking money on false pretext of providing a job is against co-accused Dr. Uday Shankar Mishra and his son Manish Mishra. It has further been submitted that even accepting the case to be true it was a case of immoral contract and not enforceable in the eye of law. Moreover, there is no allegation that petitioner has taken any money in lieu of the same and as per the allegation the maximum transaction was done either through cash or through bank account by co-accused Dr. Uday Mishra and Annu Mishra and a vague allegation has been levelled against the petitioner that he took Rs. 4 Lakhs after executing a stamp paper regarding receipt of money and also Rs.3,00,000/- in cash. Learned counsel for the petitioner has further submitted that co-accused Dr. Uday Shankar Mishra and Anita @ Annu Mishra have been extended the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.11.2025 passed in Cr. Misc. No. 43213 of 2025, while another co-accused



person namely Nawal Prasad @ Nawal Kumar has also been extended the privilege of anticipatory bail by order dated 16.04.2026 passed in Cr. Misc. No. 24466 of 2026. It has further been submitted that the case of the petitioner stands on better footing. It has lastly been submitted that petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail 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 court concerned, in connection with Gaya Kotwali P.S. Case No. 395 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

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(Praveen Kumar, J)

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