

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45435 of 2026

Arising Out of PS. Case No.-233 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Rajesh Yadav @ Rajesh Kumar S/o Surender Prasad Yadav Resident of
Village - Bandi, PS - Nimchak Bathani, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi W/o Rajesh Yadav @ Rajesh Kumar D/o Ram Bhawan Yadav
R/o Village - Bandi, P.S - Nimchak Bathani, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-07-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned A.P.P., at the outset, submits that
from perusal of the anticipatory bail application, it
manifests that petitioner is seeking anticipatory bail in
Complaint Case No.233 of 2022, in which cognizance was
taken under Sections 323, 504 and 498A of the I.P.C. It is
next submitted that after cognizance is taken, summons are
issued and if petitioner based on summons appears before
the learned Trial Court, the petitioner will not be arrested
rather will join the proceedings before the learned Trial



Court and for the said submission relies on an order of the Hon'ble Supreme Court in S.L.A. (Criminal) No.16221 of 2025 (Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika vs. the State of Jharkhand and another) disposed off by an order dated 23.04.2026 and relies on **Paras-8, 9 and 10** of the said order.

3. The learned counsel appearing on behalf of the petitioner submits that petitioner being husband has been falsely implicated in the instant case and the dispute is matrimonial, but then, is not in a position to rebut the submission made by the learned counsel appearing on behalf of the State that since summons have been issued, the petitioner ought to have appeared before the learned Trial Court and joined the proceeding.

4. After hearing the learned counsel for the parties, the anticipatory bail application is disposed off with a liberty to the petitioner to appear before the learned Trial Court on or before 30.07.2026 with a copy of the order dated 23.04.2026 in **S.L.A. (Criminal) No.16221 of 2025 (Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika vs. the State of Jharkhand and**



another) and the learned Trial Court shall proceed strictly
in accordance with the order of the Hon’ble Supreme Court.

(Satyavrat Verma, J)

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