

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49777 of 2026

Arising Out of PS. Case No.-150 Year-2025 Thana- COMPLAINT CASE-ARWAL District-
Arwal

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Gajendra Kumar S/o Ramadhar Yadav R/o Village- Bhedriya English, P.S.-
Paliganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Kumari W/o Gajendra Kumar, D/o Chandrashekhar Yadav R/o vill-
Mubarakpur, P.S.- Banshi, Distt.- Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2026 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The learned APP at the outset submits that from perusal of the anticipatory bail application, it would manifest that petitioner is seeking anticipatory bail in Complaint Case No. 150 of 2025 in which cognizance has been taken under Sections 126(2), 115(2), 351(2), 352, 85 and 86 of BNS. 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 proceeding before the learned Trial Court and for the said submission relies on an order of the Hon'ble Supreme Court in SLA (Criminal No. 16221 of 2025, Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika Vs State of Jharkhand and another) disposed of by an order dated 23.04.2026



and relies on Para 8, 9 and 10 of the order dated 23.04.2026.

3. 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 APP that since summons have been issued, the petitioner ought to have appeared before the learned Trial Court and joined the proceedings. It is also submitted that till date non-bailable warrant of arrest has not been issued.

4. After hearing the learned counsel for the parties, the anticipatory bail application is disposed of with a liberty to the petitioner to appear before the learned Trial Court on or before 14.08.2026 with a copy of the order dated 23.04.2026 in SLA (Criminal No. 16221 of 2025, Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika Vs 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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