

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89814 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- SHERGHATI District- Gaya

1. Devchandra Yadav @ Abhishek Kumar @ Devchandra Kumar @ Devchand Yadav S/o Nageshwar Yadav R/o Village- Saiypur, P.S- Hunterganj, Dist- Chatra (Jharkhand).
2. Deepak Kumar @ Deepak Yadav S/o Nageshwar Yadav R/o Village- Saiypur, P.S- Hunterganj, Dist- Chatra (Jharkhand)
3. Vivek Kumar @ Vivek Yadav S/o Shivdhari Yadav @ Sidhari R/o Village- Saiypur, P.S- Hunterganj, Dist- Chatra (Jharkhand)
4. Gaurav Kumar @ Gaurav Yadav S/o Devdhari Yadav R/o Village- Saiypur, P.S- Hunterganj, Dist- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-01-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Sherghati P.S. Case No. 143 of 2025 for the offence under sections 190, 191(2), 191(3), 126(2), 115(2), 109, 132, 303(2), 351(2) and 352 of the Bhartiya Nyay Sanhita lodged on 29.03.2025 by the informant, Rahul Dev Barman.

3. As per the prosecution story, the Police officer/informant alleged that on the eve of Eid and Ram Navmi festivals, when he reached the village Saipur, a motorcycle was parked there with sacks of Mahua. As he instructed the



motorcycle to be brought to the Police Station, accused persons came armed variously and assaulted him beside taking a gold chain of Rs. 1,70,000/-. Local *chowkidar* who was present there named these petitioners which led to the FIR.

4. Learned counsel for the petitioners submit that only one of them (petitioner no. 1) has criminal antecedent, others have no criminal antecedent, they belong to Jharkhand, have no role to play in the matter but the *chowkidar* named them and there is no injury report on record. He further submits that without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioners submit that they intend to contribute Rs. 3,000/- each (totalling Rs. 12,000/-) to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer submitting that they have attacked the Police Officer.

6. Taking into account the submissions of the parties as also that most of them have no criminal antecedent, omnibus allegation is there, injury report is not on record, FIR is there and the petitioners shall be facing the trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 3,000/- each (totalling Rs. 12,000/-) to the Chief Minister's



Relief Fund through Demand Draft and the receipt be submitted to the learned trial Court.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM, Sherghati, Gaya in connection with Sherghati P.S. Case No. 143 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

