

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35455 of 2022

Arising Out of PS. Case No.-139 Year-2008 Thana- KUDRA District- Kaimur (Bhabua)

BIRENDRA YADAV S/O- MEWA YADAV R/O- WARD NO. 11 MOHANIA
, P.S. -MOHANIA , DIST.- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 10-01-2023 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

The petitioner apprehends his arrest in connection with Kudra P.S. Case No.139 of 2008, registered for the offences alleged under Section 364(A)/34 of the Indian Penal Code .

At the very outset, the learned APP has submitted that the process under Sections 82 and 83 of the Cr.P.C. has been initiated, as such, the petitioner is not entitled for anticipatory bail.

In view of aforesaid submission, this application is dismissed as not maintainable, in the light of the recent decision in the case of *Prem Shankar Prasad vs. State of Bihar and*



Another (2021 SCC online SC 955).

If the petitioner surrenders and files regular bail petition before the court below, that shall be disposed of on its own merit, without being prejudiced by this order.

Office shall ensure that all the defects are removed by the petitioner within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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