

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73113 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- SAHARGHAT District- Madhubani

RAUSHAN KUMAR @ CHHOTU MANDAL SON OF AWADHESH
MANDAL RESIDENT OF VILLAGE- SALEMPUR, P.S.- SAHARGHAT,
DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 376DA of the Indian Penal Code, Sections 4 and 6 of the POCSO Act and Sections 3(i)(r)(s)(w-a) and 3(2)(v) of the S.C. & S.T. Act.

3. At the outset, learned A.P.P. for the State raised preliminary objection to the maintainability of this pre-arrest petition in terms of provisions under Section 438 (4) of the Code of Criminal Procedure, 1973.

4. Learned counsel appearing on behalf of the petitioner does not dispute the above proposition.

5. Accordingly, this pre-arrest bail application is



dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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