

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79876 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- BALIYA District- Begusarai

Raushan Kumar @ Raushan Tanti Son Of Harkhit Tanti Resident Of Village-
Shadipur Diyara Ward No. 10, P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Bhushan, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 05-07-2024 Heard learned counsels for the parties.

2. At the outset, learned counsel for the petitioner informs this Court that the process under Sections 82 and 83 has already been initiated.

3. In view of the statement made at the Bar, learned counsel for the State submitted that the present anticipatory bail application is not at all maintainable in view of the judgment of the Hon'ble Supreme Court in the case of *Lavesh Vs. State (NCT of Delhi)* reported in *(2012) 8 SCC 730*, *The State of Madhya Pradesh Vs. Pradeep Sharma* reported in *(2014) 2 SCC 171*, *Jarasindhu Chaubey Vs. Amresh Chaubey* reported in *(2012) 12 SCC 455* and *Prem Shankar Prasad Vs. The State of Bihar and Anr.* reported in *AIR 2021 SC 5125* and it has specifically observed that one of the process u/s 82 and 83 has



issued in such circumstances, the anticipatory bail application would not be entertained.

4. Accordingly, the anticipatory bail application stands dismissed.

(Harish Kumar, J)

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