

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.774 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- SC/ST District- Vaishali

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Santosh Kumar @ Santosh Shah Son of Satyanarayan Shah Resident of
Village- Desri, P.S. -Desri, District -Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Saroj Kumar Son of Vijay Chaudhary Resident of Village- Desri, P.S.- Desri,
Distt.- Vaishali

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinod Kumar, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl.P.P

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-04-2025 Heard learned counsel for the appellant and learned
Special P.P. for the State.

2. This appeal has been filed in Hajipur SC/ST Case
No. 16/2024 registered for the offence under Sections 341, 323,
325, 307, 504, 506/34 of the Indian Penal Code and Sections
3(1)(r)(s), 3(2)(va) of the SC/ST (POA) Act, whereby the prayer
for anticipatory bail of appellant has been rejected.

3. At the outset, learned Special P.P. for the State
submits that in this case, process of Section 82/83 of the Cr.P.C.
has already been initiated against this appellant and as such, this
appeal is not maintainable, in view of several decisions of the
Supreme Court in the case of (i) Lavesh v. State (NCT of Delhi),



reported in (2012) 8 S.C.C. 730, (ii) State of MP v. Pradeep Sharma, reported in (2014) 2 S.C.C. 17, and (iii) Prem Shankar Prasad v. State of Bihar, reported in 2021 SCC Online SC 955.

4. Considering the aforesaid development, the appeal, filed for grant of anticipatory bail to the appellant, stands dismissed.

(Prabhat Kumar Singh, J)

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