

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.953 of 2025

Arising Out of PS. Case No.-474 Year-2024 Thana- BAKHARI District- Begusarai

Manoranjan Kumar Mahto @ Manoranjan Mahto @ Mannu Mahto @ Mannu
Son of Moti Mahto Resident of ward no. 05, Village Gamhariya, Police
Station - Bakhri, District- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramanand Chaudhary Son of Late Baleshwar Chaudhary Resident of ward
no. 06, Village -Mohanpur, Police Station - Bakhri, District- Begusarai.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Kundan Kumar, Advocate
For the State	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-07-2025 Heard learned counsel appearing on behalf of the
appellant.

2. No one appears on behalf of the State.

3. This appeal has been filed for setting aside order dated 20.01.2025 passed in a case registered for the offence under Sections 126(2), 115(2), 352, 351(2), 303(2) and 3(5) of B.N.S. and Sections 3(1)(r) and 3(1)(s) of the SC/ST (POA) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

4. From bare perusal of Annexure-A/2 of the supplementary affidavit filed on behalf of the appellant it is apparent that proceedings under Section 82 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*.

5. Considering the aforesaid facts and circumstances of the case and decisions of the Supreme Court, the prayed for for grant of anticipatory bail to the appellant is rejected and this appeal stands dismissed.

(Prabhat Kumar Singh, J)

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