

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1084 of 2025

Arising Out of PS. Case No.-516 Year-2024 Thana- PIRPAINTI District- Bhagalpur

Pradeep Yadav Son of Late Raghu Yadav village- Govindpur, Mohanpur, Ps-
Pirpainty, Dist- Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Mostt Kushma Devi Wife of Late Arjun Mandal village- Govindpur,
Mohanpur, Ps- Pirpainty, Dist- Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Swapnil Kumar Singh, Adv.

For the Respondent/s : Mrs. Usha Kumari 1, Spl.PP

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 Pirpainty P.S. Case No. 516/2024 registered for the offence under Sections 103(2), 3(5) of B.N.S., 2023 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 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 facts and circumstances and decisions of the Supreme Court, the appeal, filed for grant of anticipatory bail to the appellant, stands dismissed.

(Prabhat Kumar Singh, J)

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