

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25058 of 2025

Arising Out of PS. Case No.-197 Year-2022 Thana- PAHARPUR District- East Champaran

Pradeep Kumar @ Pradeep Sah @ Pradeep Kumar Sah S/O Sone Lal Sah R/O
Village- Noneya Mishra Tola, P.S- Pahar Pur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Pahar Pur Case No. 197 of 2022 registered for the offences
punishable under Sections 341, 323, 324, 307, 379, 354B, 504,
506 and 34 of the Penal Code.

3. Learned counsel for the petitioner submits that this
is the second attempt of the petitioner to seek anticipatory bail.
It is next submitted that petitioner had earlier moved this Court
seeking anticipatory bail by filing Cr. Misc No. 6190 of 2023,
and the same was permitted to be withdrawn by an order dated
11-4-2023 by a learned Coordinate Bench. It is further
submitted that police after investigation submitted charge-sheet
under bailable sections, but then the learned Trial Court,



differing with the police, took cognizance of offences under various sections of IPC including Section 307 of the IPC, thus the petitioner apprehends his arrest. The learned counsel thus submits that once an investigating agency after threadbare investigation came to a considered conclusion that no offence under Section 307 of the IPC is made out against the petitioner, whether it would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which did not find the case true under Section 307 of the IPC.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the anticipatory bail application filed by the petitioner earlier was not rejected on merit rather petitioner chose to withdraw the same as such after withdrawing the earlier anticipatory bail application, the petitioner cannot raise the issue as raised in the instant anticipatory bail application.

5. The Court is in agreement with the submission made by the learned APP and thus is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.



7. However, if the petitioner surrenders before the learned trial court on or before 22-5-2025, the learned trial court on the same day shall dispose of the bail application of the petitioner.

(Satyavrat Verma, J)

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