

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35163 of 2025**

Arising Out of PS. Case No.-49 Year-2023 Thana- MUZFFARPUR COMPLAINT CASE  
District- Muzaffarpur

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Guddu Kumar Son of Nagendra Sahni village -Bisautha PS- Katra District  
-Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi Wife of Kedar Rai village and PO -Shivdaspur PS -Katra District- Muzaffarpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      28-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in a complaint case punishable for offence under Sections 323, 504, 506/34 of the Indian Penal Code and Sections 8, 12 of POCSO Act.

3. At the outset, learned APP for the State submits that in this case, process of Section 82 of the Cr.P.C. has already been initiated against this petitioner and as such, this bail application is not maintainable, in view of several decisions of the Supreme Court, rendered 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  
application, filed for grant of anticipatory bail to petitioner,  
stands dismissed.

**(Prabhat Kumar Singh, J)**

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