

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49715 of 2024

Arising Out of PS. Case No.-72 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

Rajesh Kumar Paswan @ Rajesh Paswan S/o Naresh Paswan R/o Village-
Jamini, P.S.-Jagdishpur(Bypass), District-Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Devi W/o Mithlesh Paswan R/o Village-Kharwa, p.S.-
sahayak(Bypass), District-Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Munish Kumar, Adv.
For the State	:	Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 16-09-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Jagdishpur (Bypass) P.S. Case No. 72 of 2020, registered for the
offences punishable under Sections 341, 323, 354, 504, 506,
366(A)/34 of the Indian Penal Code and subsequently added Section
376 of the IPC and Section 4 of the POCSO Act.

3. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated merely
because he is own brother of co-accused Sunny Kumar.

4. At the very outset, the learned APP for the State,
Mr. Shailendra Kumar, has submitted that the processes under
Sections 82 and 83 of the Cr.P.C. has been issued, as such, the
petitioner is not entitled for anticipatory bail.



5. In view of aforesaid submission, this anticipatory bail petition is dismissed, in the light of recent decision in the case of *Prem Shankar Prasad vs. The State of Bihar and Another (2021 SCC online SC 955)*.

6. If the petitioner surrenders and files regular bail petition before the court below, that shall be disposed of expeditiously on its own merit, without being prejudiced by this order.

(Nawneet Kumar Pandey, J)

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