

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51350 of 2025

Arising Out of PS. Case No.-180 Year-2023 Thana- NADI P.S. District- Patna

Rajesh Rai @ Rajesh Ray S/o Sri Rampukar Ray Village- Hardaspur, PS-
Dharnipatti, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-08-2025 Heard learned counsel for the petitioner, learned
Special P.P. for the State and learned counsel for opposite party
no. 2.

2. The petitioner apprehends his arrest in a case
punishable for offence under Section 379 of the Indian Penal
Code.

3. At the outset, learned A.P.P. for the State submits
that in this case, process of Section 82/83 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) Lavesch 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)

Prakash/-

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