

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60710 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- BATHWARIA District- West Champaran

1. Birjhan Yadav @ Bauk Yadav @ Virjhan Yadav S/O Late Kailash Yadav Resident of Village- Garibshahi, P.S.- Bathwariya, District- West Champaran
2. Ranjit Yadav @ Ranjit Singh Yadav S/O Birjhan Yadav @ Bauk Yadav @ Virjhan Yadav Resident of Village- Garibshahi, P.S.- Bathwariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Siddharth Harsh, Advocate
For the State	:	Ms. Sangeeta Sharma, APP
For the Informant	:	Mr. Deovind Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-11-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 117(2), 117(4), 109, 103, 190, 191(2) and 191(3) of the B.N.S..

3. At the outset, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that the prayer for grant of pre-arrest bail to the petitioners is not maintainable as vide order dated 16.06.2025,



proceedings under Section 82 of the Cr.P.C. has already been issued against these petitioners. In this connection, reliance is placed upon recent judgment of the Hon’ble Apex Court in the case of *Prem Shankar Prasad versus the State of Bihar and Another* reported in *LL 2021 SC 579*.

4. Considering the facts and circumstances of the case, the fact that proceedings under Section 82 of the Cr.P.C. has already been issued and judgment of the Hon’ble Apex Court in the case of *Prem Shankar Prasad (supra)*, the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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