

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.70426 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- BANIAPUR District- Saran

- 1. Shailesh Kumar Ray @ Shailesh Kumar Son of Upendra Rai Resident Of Village - Khabsa, P.S. - Baniyapur, Dist. - Saran At Chapra.
- 2. Ramesh Kumar Ray @ Ramesh Kumar Son of Upendra Rai Resident Of Village - Khabsa, P.S. - Baniyapur, Dist. - Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 70528 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- BANIAPUR District- Saran

- 1. Puja Kumari @ Pooja Kumari Daughter of Upendra rai Resident Of Village- Khabsa, Ps -Baniapur, Dist -Saran
- 2. Indu Devi Wife of Upendra Rai Resident Of Village-Khabsa, Ps -Baniapur, Dist -Saran
- 3. Usha Devi wife of Surendra Rai Resident Of Village-Khabsa, Ps -Baniapur, Dist -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :  
(In CRIMINAL MISCELLANEOUS No. 70426 of 2025)  
For the Petitioner/s : Mr.Vipin Kumar Singh  
For the State : Mr.Anil Prasad Singh  
(In CRIMINAL MISCELLANEOUS No. 70528 of 2025)  
For the Petitioner/s : Mr.Vipin Kumar Singh  
For the State : Mr.Pramod Kumar Pandey, APP  
For the Informant : Mr. Sanjay Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER



3. 18-12-2025 Heard learned counsel for the petitioners, learned A.P.P. for the State (in both the bail petitions) and learned counsel for the informant.

2. The petitioners (in both cases) apprehend their arrest in connection with Baniapur P.S. Case No. 194 of 2025, registered for the offences punishable under Sections 127(1), 115(2), 118(1), 117(2), 109, 351(2), 352, 3(5) of the B.N.S., 2023 and later on, Section 103 of the B.N.S., 2023 was added.

3. At the outset, learned counsel appearing on behalf of informant pointed out that petitioners are evading process of court that have been declared absconder. Thereafter, process of Section 82/83 of the Cr.P.C. has been initiated against them to ensure their appearance in the Court and as such, petitioners are not entitled to the relief of anticipatory bail, rather have to present themselves before the concerned Court to face trial. Reliance is placed to the several decisions of the Supreme Court, rendered in the case of:

**(a) Laves v. State (NCT of Delhi) (2012) 8 SCC 730,**

**(b) State of MP v. Pradeep Sharma (2014) 2 SCC 17, and**

**(c) Prem Shankar Prasad v. State of Bihar 2021 SCC OnLine SC 955).**

4. Considering the aforesaid development and



judgment of the Supreme Court, both the bail petitions, filed for grant of anticipatory bail to petitioners, stand dismissed as not maintainable.

**(Prabhat Kumar Singh, J)**

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