

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69699 of 2025

Arising Out of PS. Case No.-215 Year-2010 Thana- SAKRA District- Muzaffarpur

Md. Mumtaz S/O Md. Salim R/O Village- Boariya, P.S- Sakra, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Sinha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sakra P.S. Case No. 215 of 2010, registered for the offence
under Sections 304(B)/34 of the Indian Penal Code.

3. At the outset, learned counsel appearing on behalf
of State raised preliminary objection on the maintainability of
bail petition and pointed out that petitioner is evading process of
court that has been declared absconder. Thereafter, process of
Section 82 /83 of the Cr.P.C. has been initiated against him to
ensure his appearance in the Court and as such, petitioner is not
entitled to the relief of anticipatory bail. Reliance is placed to
the several decisions of the Supreme Court, rendered in the case
of:



(a) **Lavesh 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, the application, filed for grant of anticipatory bail to petitioner, stands dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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