

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5341 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- BAISI District- Purnia

Habil Haji @ Habibur Rahman S/o- Late Imaj @ Late Imajuddin @ Late Imazuddin @ late Umazuddin Residents of Jiyagachhi Minapur PS- Baisi District-Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Ghanshyam Bosak S/o- Chhabbi Lal Bosak R/o- Marwa Bangama Ps-baisi Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Md Fazle Karim, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-07-2025 Heard learned counsel for the appellant and the State.

2. This criminal appeal has been filed against the order dated 27.09.2024 passed by learned Special Judge (SC & ST), Purnea in ABP No. 110 of 2024 in connection with Baisi P.S. Case No. 276 of 2023, instituted under Sections 147, 148, 341, 323, 427, 447, 354(B), 504, 506 of the Indian Penal Code and Sections 3(1)(r)(s), 3(i)(w), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. It is submitted on behalf of the State that appellant has been declared absconder and process of Section 82 of the



Cr.P.C. has been initiated against him to ensure his appearance in the Court as such appellant is not entitled to the relief of anticipatory bail (*Lavesh v. State (NCT of Delhi)* (2012) 8 SCC 730, *State of MP v. Pradeep Sharma* (2014) 2 SCC 17, *Prem Shankar Prasad v. State of Bihar* 2021 SCC OnLine SC 955).

4. Considering the aforesaid development, appeal for pre-arrest bail of the appellant is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

