

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82976 of 2025

Arising Out of PS. Case No.-1441 Year-2025 Thana- PHULWARISHARIF District- Patna

Lav Kush Sharma @ Lav Kush Singh S/o Gopal Sharma R/o Village- Simra,
Post- Korji Mahmaadpur, PS- Naubatpur, Distt- Patna, at present vill -
Maurya Vihar Colony, P.s.- Phulwari Sharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna PD.Singh, Senior Advocate
Sakshi Deep, Advocate

For the Opposite Party/s : Mr.Anant Kumar I, A.P.P.
Mr. Ramakant Sharma, Senior Advocate
Mr BK Singh, RM Singh, AK Tiwary, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1005 of 2021, punishable for the offence
under Sections 115(2), 126(2), 49, 109, 352, 351(2), 351(3) and
3(5) Bharatiya Nyaya Sanhita, 2023.

3. At the outset, learned counsel appearing on behalf
of State and the informant 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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