

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12715 of 2026

Arising Out of PS. Case No.-286 Year-2024 Thana- CHHATAUNI District- East Champaran

1. Shahnaz Khatoon W/O Md Umar Resident of Mohalla- Chhatauni, P.S- Chhatauni, District- East Champaran.
2. Rukhsana Khatoon @ Ruksana Khatoon W/O Farhan Khan Resident of Mohalla- Chhatauni, P.S- Chhatauni, District- East Champaran.
3. Md Saddam Hussain S/O Md Umar Resident of Mohalla- Chhatauni, P.S- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Prateek Tandon, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Sanjay Kumar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-04-2026 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, 115(2), 329(3), 118, 109, 352 and 103(1) of the B.N.S. and Sections 25(1-b)a and 36 of the Arms Act.

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 proceedings under Section 82 of the Cr.P.C./84 of the B.N.S.S. 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, the fact that proceedings under Section 82 of the Cr.P.C./Section 84 of the B.N.S.S. has already been issued against these petitioners 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)

shashank/-

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

