

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1227 of 2025

Arising Out of PS. Case No.-199 Year-2022 Thana- BHAGWANPUR HAT District- Siwan

1. Nagendra Kumar Sahi @ Nagendra Sahi son of Gautam Sahi village- Koyrigawan, P.S.- Bhagwanpur Hat, District- Siwan
2. Rahul Kumar Sahi @ Rahul Sahi @ Rahul Kumar son of Satyendra Sahi village- Koyrigawan, P.S.- Bhagwanpur Hat, District- Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Jairam Manjhi village- Koyrigawan, P.S.- Bhagwanpur Hat, District- Siwan

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-04-2026 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 11.02.2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in ABP No. 78 of 2025 arising out of Bhagwanpur Hat P.S. Case No. 199 of 2022 registered under Sections 147, 341, 323, 324, 307, 447, 448, 379, 354 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1) (r), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.



3. At the outset, learned counsel for the respondent no. 2 submitted that appellants have been declared absconder and process of Section 82 of the Cr.P.C. has been initiated against them to ensure their appearance in the Court and thereafter charge-sheet was submitted, as such appellants are 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 appellants is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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