IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30382 of 2026

CNR No. BRHC010428992026

Arising Out of PS. Case No.-281 Year-2024 Thana- SAHARSA SADAR District- Saharsa

==========

Pandav Kumar S/o Rudal Yadav Resident of village- Bathnaha, P.s.- Alauli, District- Khagaria

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Vikramaditya, Adv.
Mr. Amresh Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Jha

==========

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 19-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application has been filed on behalf of the petitioner for quashing of the order dated 11.02.2026 passed by the learned Chief Judicial Magistrate, Saharsa by which order of proclamation has been issued against the petitioner on the application of I.O. of Saharsa P.S. Case No. 281 of 2024 which has been registered for the offences punishable under Section 406, 420 and 409 of the Indian Penal Code.

3. Learned counsel for the petitioner has submitted that the prayer for anticipatory bail of the petitioner was rejected by the learned Court below vide order dated 23.08.2025,

WEB COPY

whereafter, the petitioner preferred an anticipatory bail application on 09.01.2026, before this Court, which also came to be rejected vide order dated 11.02.2026. It has further been submitted that, thereafter, on 11.02.2026, the Investigating Officer of the case submitted a report with regard to the service of the warrant of arrest previously issued against the petitioner, pursuant to which a proclamation under Section 82 of the Cr.P.C. came to be issued against him. Learned counsel for the petitioner has thus submitted that no summons or notice was ever issued to the petitioner prior to the issuance of the proclamation and, as such, the order issuing proclamation is not sustainable in the eyes of law.

4. Learned APP for the State has vehemently opposed the prayer of the petitioner.

5. Heard the parties and perused the records.

6. The prayer for anticipatory bail of the petitioner was rejected by the learned Court below on 23.08.2025. Thereafter, the petitioner approached this Court by filing Cr. Misc. No. 4203 of 2026, i.e., after a lapse of approximately six months from the rejection of his anticipatory bail application by the learned Court below. It further appears that a warrant of arrest had already been issued against the petitioner and, in the

WEB COPY

circumstances, the learned Court below proceeded to issue a proclamation under Section 82 of the Cr.P.C. against him.

7. In view of the aforesaid facts and circumstances, this Court finds no illegality or infirmity in the impugned order warranting interference by this Court.

8. Accordingly, the application stands dismissed.

(Praveen Kumar, J)

Ankit Kumar/-

U		T	

WEB COPY