

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43233 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- Kavaiya District- Lakhisarai

Shivam Kumar @ Priyanshu Kumar S/o Mukesh Singh @ Mukesh Kumar
Singh R/o Village - Kiul Basti, Pachna Road, Ward No.29, P.S - Kabaiya,
District - Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. XYZ S/o ABC R/o Village - Kiul Basti, Ward No. 20, P.S - Kabaiya, District
- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arun Kumar, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 117(2), 74 and 75 of the B.N.S. and Sections 8 and 12 of the POCSO Act.

3. At the outset, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that the same is not maintainable as from bare perusal of the impugned order it is apparent that proceedings under Section 84 of the B.N.S.S./82 of the Cr.P.C. has already been issued against this petitioner. 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 of the case, fact that proceedings under Section 84 of the B.N.S.S./82 of the Cr.P.C. has already been issued against this petitioner 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 petitioner is rejected.

(Prabhat Kumar Singh, J)

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