

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42245 of 2026

Arising Out of PS. Case No.-10 Year-2024 Thana- Paura District- Khagaria

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Fogni Devi W/o Late Bardhu Muni Resident of vill- Jhajha, PS- Paura,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Santosh Kumar Singh, Advocate
For the State : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

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 82 of the Cr.P.C. has already been issued against the petitioner and she has been declared absconder. 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 82 of the Cr.P.C. has already been issued against the petitioner and she has been declared absconder 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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