

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70642 of 2025

Arising Out of PS. Case No.-8 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

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Bittu Kumar @ Kundan Kumar @ Bittu @ Kundan Kumar Son of Vikash Kumar @ Loha Singh Resident of Village - Sahbajpur, Police Station - Kako, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari @ Niki Kuar Daughter of Subhash Kumar Resident of Village - Thikror, Police Station - Tehta O.P. (Makhdumpur), District - Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Pooja Prasad, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 22-04-2026 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 Section 376 of the Indian Penal Code and Section 4 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 82 of the Cr.P.C. has already been issued. 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. 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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