

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
**A.B.A. No.3560 of 2025**

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Basant Kumar Bharti, aged about 40 years, son of Prabhunath Bharti, resident of near I.T.I. College, Pawatoli, P.O. Hehal, P.S. Sukhdeo Nagar, District Ranchi, (Jharkhand).

**... ... Petitioner**

Versus

The State of Jharkhand.

**... ... Opposite Party**

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**CORAM : SRI ANANDA SEN, J.**

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For the Petitioner(s) : Mr. Atanu Banerjee, Advocate  
Mr. Ram Kinkar, Advocate  
For the State : Mr. Manoj Kr. Mishra, Addl.PP

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**02/ 07.07.2025**

Heard the parties.

**2.** This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been preferred by the petitioner apprehending his arrest in connection with Lower Bazar P.S. Case No.208 of 2024, for offences under Sections 316(1), 316(3), 318(4) of the B.N.S., 2023. The case is presently pending before the Court of learned J.M., First Class, Ranchi.

**3.** The learned counsel for the State at the very outset submits that process under Section 82 of Cr.P.C. (84 of BNSS, 2023) has already been issued against the petitioner.

**4.** Learned counsel representing the petitioner submits that there is no absolute embargo on granting anticipatory bail even after issuance of processes under Section 82 of Cr.P.C. in case where the petitioner has already moved for grant of anticipatory bail prior to issuance of the process under Section 82 of Cr.P.C.

**5.** After hearing the parties and after going through the record, I find this is a second attempt for anticipatory bail. The earlier prayer for anticipatory was dismissed for non-prosecution on 11.12.2024. The application challenging issuance of process under Section 82 of Cr.P.C. was also dismissed. Thus, the petitioner has approached this, Court.

**6.** Since the processes under Section 82 of the Cr.P.C. has

already been issued in view of the judgment of Hon'ble Supreme Court in the case of "***State of Madhya Pradesh Vs. Pradeep Sharma, reported in (2014) 2 SCC 171***". I am not inclined to grant anticipatory bail to the petitioner at this stage, the same is **dismissed**, with liberty to petitioner to approach this Court if at all he is successful in setting aside the order passed under Section 82 of Cr.P.C.

**(ANANDA SEN, J.)**

*Sandeep. Cp-3*