

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 7966/2026

[Arising out of impugned final judgment and order dated 09-02-2026 in CRMN No. 74096/2024 passed by the High Court of Judicature at Patna]

PUTUL RAI @ PUTUL DEVI

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ANR.

Respondent(s)

IA No. 133358/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 133362/2026 - EXEMPTION FROM FILING O.T.

Date : 05-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA

HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) : Mr. Navneet R., AOR
Mr Rajeev Ranjan, Adv.
Mr Vikas Singh, Adv.
Ms Alankrita Sinha, Adv.
Mr Gunjan Kumar, Adv.

For Respondent(s) : Mr Samir Ali Khan, AOR
Md Kashij Irshad Khan Faridi, Adv.
Mr Pranjal Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. This petition impugns an order of the High Court of Judicature at Patna dated 09.02.2026 whereby petitioner's prayer for anticipatory bail in connection with Complaint Case No. 3462 (C) of 2023 has been rejected and the petitioners have been directed to surrender before the

Court concerned within a period of two weeks from the date of the order.

2. It is not stated that the Court where the complaint proceedings are pending has issued coercive processes, such as non-bailable warrant, to secure the presence of the petitioner. In such circumstances there exists no material for the petitioner to apprehend her arrest.

3. In *Om Prakash Chhawnika alias Om Prakash Chabnika alias Om Prakash Chawnika vs. State of Jharkhand and Another*¹, this Court observed:

“10. Once the Court takes cognizance and issues summons, all that the accused has to do is to appear before that Court and join the proceedings. Why should the accused go before the Sessions Court or the High Court, as the case may be, and pray for anticipatory bail? Police has no power to arrest the accused in a complaint case unless there is a non bailable warrant issued by that Court along with the summons.”

4. Besides, this Court has deprecated the practice of the High Court to direct the applicant to surrender and apply for regular bail while rejecting the anticipatory bail prayer.

5. In such circumstances, we do not find a good reason to entertain the prayer for anticipatory bail. However, we deem it appropriate to expunge the direction in the impugned order which requires the petitioner to surrender

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and apply for regular bail though, it goes without saying that if the petitioner has been required by the Complaint Court to appear before it, the petitioner must comply with such a direction.

6. With the aforesaid observations, this special leave petition stands disposed of.

7. Pending application(s), if any, shall stand disposed of.

(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)