

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5484 of 2018

ORDER:

1 This criminal petition is filed, by the petitioners/A.1 to 3, under Section 438 Cr.P.C., seeking anticipatory bail in Cr.No.49 of 2018 on the file of the Station House Officer, K.P.H.B. Colony Police Station, for the offences under Sections 341, 353, 290 and 506 I.P.C.

2 At the time of arguments, the only relief sought by the learned counsel for the petitioners is to direct the Station House Officer, K.P.H.B. Colony Police Station, to follow the procedure as contemplated under Section 41 A Cr.P.C.

3 In view of the submission made by the learned counsel for the petitioners, this Court is not inclined to go into the merits of the main case.

4 Having regard to the facts and circumstances of the case and also the principle enunciated in **Arnesh Kumar Vs. State of Bihar**¹, the Station House Officer, K.P.H.B. Colony Police Station, is hereby directed to follow the procedure as contemplated under Section 41 A Cr.P.C. in Crime No.49 of 2018 so far as the petitioners/A.1 to A.3 are concerned.

5 With the above direction, the criminal petition is disposed of.

T.SUNIL CHOWDARY, J

Date: 10.05.2018
va/kdl

¹ (2014) 8 SCC 273