

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12088 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- PARBATTa District- Khagaria

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1. Rajesh Chaudhary Son of Kiran Deo Chaudhary Resident of Village - Kanhaiyachak, P.S.- Parbatta, District- Khagaria
 2. Rajeev Chaudhary Son of Kiran Deo Chaudhary Resident of Village - Kanhaiyachak, P.S.- Parbatta, District- Khagaria
 3. Prince Kumar Son of Rajesh Chaudhary Resident of Village - Kanhaiyachak, P.S.- Parbatta, District- Khagaria
 4. Uday Kumar Son of Ramsagar Chaudhary Resident of Village - Kanhaiyachak, P.S.- Parbatta, District- Khagaria
 5. Mithilesh Kumar Son of Ramsagar Chaudhary Resident of Village - Kanhaiyachak, P.S.- Parbatta, District- Khagaria
 6. Akhilesh Kumar Son of Ramsagar Chaudhary Resident of Village - Kanhaiyachak, P.S.- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Singh, Adv.
For the State	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Dr. Amarendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 08-10-2020 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Parbatta P.S. Case No. 4 of 2020, registered under sections 307, 341, 323, 504, 506 and 34 of the Indian Penal Code.

Without going into the merits of the case, it may be stated here that it was the submission on behalf of learned



counsel for the informant that final report has been submitted not finding the case to be true against petitioner nos.3 and 6 and so far as the petitioner nos.1,2, 4 and 5 are concerned they have been given the benefit of section 41A of the Code of Criminal Procedure.

By order dated 13.7.2020, a copy of the final report was called for and the same has been received.

From perusal of the final report/chargesheet no. 120/2020 dated 3.6.2020 submitted in Parbatta P.S. Case no.4 of 2020 it transpires that petitioner no.3 Prince Kumar and petitioner no.6 Akhilesh Kumar have not been sent up.

Learned counsel for the petitioner submits that it is the correct position that the others i.e. petitioner nos.1, 2, 4 and 5 have been given the benefit of section 41A of the Cr.P.C.

In view of the above position of the petitioner nos.3 and 6 not having been sent up and the petitioner nos. 1, 2, 4 and 5 having been given the benefit of section 41A of the Cr.P.C., learned counsel for the petitioners does not press this application for the present.

The application stands disposed of.

(Partha Sarthy, J)

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