

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9089 of 2022**

Arising Out of PS. Case No.-55 Year-2020 Thana- KHAGARIA District- Khagaria

RAJ KUMAR RAJ @ RAJ KUMAR CHAUDHARY S/o Late Sukhdeo Chaudhary Resident of Mohalla- NAC Road, P.S.- Khagaria, District- Khagaria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-09-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as Sri Narendra Kumar Singh, learned APP for the State through video conferencing.

The petitioner apprehends his arrest in connection with Khagaria P.S. Case No. 55 of 2020, registered for the offences punishable under Sections 406, 420, 379, 504, 506/34 of the Indian Penal Code.

The informant, as per allegation, was running his shop in a rented premises. One Satyam Devi was owner of that premises. As per allegation, at the instance of Satyam Devi a theft was committed in his shop in which the present petitioner



was also involved.

Learned counsel for the petitioner has submitted that Satyam Devi was granted anticipatory bail.

The learned APP, Sri Narendra Kumar Singh, has submitted that the petitioner was granted benefit under Section 41(1) Cr.P.C. As such, the anticipatory bail is not maintainable.

Considering the above mentioned facts and circumstances, the petitioner is directed to surrender before the court below and make a prayer for regular bail and the learned court below shall dispose of the regular bail petition of the petitioner on the same day of its filing, without being prejudiced by this order.

The learned court below may take notice of the fact that co-accused Satyam Devi has been granted anticipatory bail by the co-ordinate Bench of this Court and the case of the petitioner is on better footing.

With these observations, the anticipatory bail petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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