

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7250 of 2021

Arising Out of PS. Case No.-571 Year-2019 Thana- KOTWALI District- Patna

Rekha Modi Daughter Of Late Kashi Prasad Modi Residence Of Village - Flat
No 21 And 22, Saraswati Apartment, S.P. Verma Road, P.S.- Kotwali, Distt.-
Patna Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP
For the Informant : Mr. Bhaskar Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

8 27-07-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Ramchandra Singh, learned
APP for the State.

The petitioner in the present case has moved this
Court for grant of anticipatory bail in connection with Kotwali
P.S. Case No. 571 of 2019 for the offences punishable under
Sections 448, 341, 342, 323, 504, 506, 379, 34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been apprehending her arrest in connection with
this case, however, learned counsel for the State as well as
learned counsel for the informant submit that the FIR has been
lodged under those provisions of the IPC which carry
punishments for less than 7 years.

In that view of the matter, it is stated that the



judgment of the Hon'ble Supreme Court in the case of **Arnesh Kumar Vs. The State of Bihar and Anr.** reported in (2014) 8 SCC 273 and the recent judgment of the Hon'ble Supreme Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and Another** (2022 SCC Online SC 825), this application may be disposed of with a direction that the petitioner shall cooperate in course of investigation as and when called upon by the I.O.

Learned counsel for the petitioner submits that the petitioner will definitely cooperate with the Investigating Officer of the case as and when she is called upon in terms of Section 41A of the Code of Criminal Procedure.

In the aforesaid view of the matter, this Court is permitting the petitioner to withdraw this application with a clear understanding that as and when the I.O. shall call upon her to participate in course of investigation she will cooperate with the same by presenting herself.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

