

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4640 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- KHUDAGANJ District- Nalanda

Raj Kumar Son Of Sri Krishna Yadav Resident Of Village - Kewai, Police
Station - Khudaganj, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar & Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The learned counsel for the petitioner submits that
petitioner seeks anticipatory bail in connection with Khudaganj P.S.
Case No. 78 of 2023 for the offences punishable under Sections
498A and 34 of the Indian Penal Code.

3. Learned APP, at the outset, submits that from office
report dated 31-7-2024, it would manifest that the same records that
process server reported that no such Opposite Party No. 2 resides at
the given address.

4. The learned APP submits that the offence for which the
instant FIR has been instituted, carries punishment of less than seven
years, the said submission of the learned APP is not disputed by
learned counsel appearing on behalf of the petitioner.

5. The learned counsel for the petitioner submits that



investigation in the case against the petitioner is still continuing and he has not been granted the benefit of Section 41A of the Cr.P.C, on which the learned APP thus submits that the case be disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

6. In view of the submission made by the learned APP, the anticipatory bail application is disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

7. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case, within a period of three weeks from today, with a web copy of the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the state of Bihar); and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the directions contained in the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

(Satyavrat Verma, J)

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