

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19578 of 2024

Arising Out of PS. Case No.-285 Year-2022 Thana- BUXAR District- Buxar

Rajesh Kumar Rai @ Rajesh Rai @ Koa S/o Late Valmiki Ray @ Baba R/O
VILLAGE - KARIMUDDINPUR, P.S - KARIMUDDINPUR, DIST. -
GAZIPUR, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 26-10-2024 Heard learned counsel for the petitioner, learned counsel
appearing on behalf of the informant and Mr. Chandra Bhushan
Prasad learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with GR No. 1374 of 2022 arising out of Buxar (Town) P.S. Case
No. 285 of 2022, dated 26.05.2022 registered for the offences
punishable under Sections 420, 406, 385 and 34 of the Indian
Penal Code.

3. Learned A.P.P. submits that the offences for which the
instant FIR has been instituted against the petitioner carry
punishment of seven years and less.

4. The said submission of the learned A.P.P. is not
disputed by the learned counsel appearing on behalf of the
petitioner and the informant.

5. Learned counsel appearing on behalf of the petitioner



based on instruction submits that investigation in the case against the petitioner is still continuing but then petitioner has not been given the benefit of Section 41(A) of the Cr.P.C., on which learned A.P.P. submits that the case be disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar).

6. In view of the submissions made by the learned A.P.P., the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

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 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the direction contained in the said order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

(Satyavrat Verma, J)

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