

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16187 of 2024**

Arising Out of PS. Case No.-394 Year-2023 Thana- KANTI District- Muzaffarpur

Jitendra Sahani @ Jitendra Kumar Son of Nagina Sahani Resident of Village-  
Dumaria, P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sagar Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      16-05-2024                      1. Heard the learned counsel for the petitioner and the  
learned APP for the State.

2. The learned counsel for the petitioner submits that the petitioner seeks anticipatory bail in connection with Kanti P.S. Case No.394/2023 dated 01.06.2023 registered for the offences punishable under Sections 354, 354B, 379, 149 of the Indian Penal Code read with Section 25 of the Arms Act. It is next submitted that allegation under the Arms Act has been alleged only to give serious colour to the case, when no one is alleged to have been injured by firearm. It is also submitted that the investigation in the case is till pending in the Court of learned Judicial Magistrate 1<sup>st</sup> Class, West Muzaffarpur.

3. The learned APP submits that the offences for which the instant F.I.R. has been instituted against the petitioner



carries a punishment of less than 7 years. It is next submitted that the case has been instituted under the Arms Act but in the nature of allegation, the punishment for such offence under the Arms Act is less than 7 years, to which the learned counsel for the petitioner does not dispute.

4. At this stage, the learned APP further submits that from perusal of the order impugned, it would manifest that the injured received 13 stitches on head, which amply demonstrates that the injured was brutally assaulted, on which, the learned counsel appearing on behalf of the petitioner submits that the F.I.R. has not been instituted under section 307 of the Indian Penal Code and the said fact is an aspect of investigation.

5. Since the F.I.R. has been instituted with respect to offences which carries punishment of less than 7 years and the investigation is pending, as such, the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar).

6. The petitioner would be at liberty to file a representation within a period of three weeks from today before the concerned Superintendent of Police of the district and the Investigating Officer of the case with a web copy of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari



vs. State of Bihar) and the Superintendent of Police shall ensure  
that Investigating Officer of the case strictly adhere to the  
direction contained in the said order.

(Satyavrat Verma, J)

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