

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33775 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- KUTUMBA District- Aurangabad

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Ankit Kumar Tiwary @ Ankit Kumar Son of Don Tiwary @ Vinay Kumar
R/O Village- Parsawan, P.S.- Kutumba, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 04-07-2024 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Kutumba P.S. Case No. 28 of 2024, dated 16.02.2024 registered for the offences punishable under Sections 379, 353, 341 and 323/34 of the Indian Penal Code, Section 4(1)(A) and 21 of the Mines and Minerals (Regulation of Development) M.M.D.R Act 1957, Rules 11 and 18 of the Bihar Mineral (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules 2019 as well as Rule 56 of the Amendment of the Bihar Mines Rules, 2021.
3. Learned counsel for the petitioner submits that the investigation of the case against the petitioner is still going on.
4. Learned A.P.P. for the State, at the outset, submits that the offences for which the instant FIR has been instituted carry punishment of less than seven years. As such, learned A.P.P. submits that the anticipatory bail application 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).

5. The said submission of the learned A.P.P. for the State is not disputed by the learned counsel appearing on behalf of the petitioner.

6. In view of the aforesaid 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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