

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39784 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BARARI District- Katihar

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1. Bibi Mumtaz W/O Md. Hafizurr Rahman R/O Village- Giddhabari, P.S.- Barari, Dist- Katihar
 2. Hafizzur Rahman S/O Late Shamim Alam R/O Village-Giddhabari, P.S. Barari, Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Cooperative Officer, Katihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prakash Shharma
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 26-10-2024 1. Heard the learned counsel for the petitioners and the learned APP for the State along with learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in connection with Barari P.S. Case No.74/2024, registered for the offences punishable under Sections 406, 419, 420 and 34 of the Indian Penal Code.

3. The learned APP at the outset submits that the offences for which the instant F.I.R. has been instituted against the petitioners carries a punishment of 7 years and less. The said submission of the learned APP is not disputed by the learned counsel appearing on behalf of the petitioners and the informant.



The learned counsel for the petitioners further submits that the investigation in the case against the petitioners is still continuing but the petitioners have not been given the benefit of Section 41(A) Cr.P.C., on which, the learned APP submits that the case be disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar).

4. In view of the submission made by the learned APP 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).

5. The petitioners 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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