

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48232 of 2024

Arising Out of PS. Case No.-793 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Chanda Devi, Wife Of Arun Paswan, Resident Of Village- Dumri Gobarsahi,
P.S.-Sadar, District -Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Masoom Alam
For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.
Mr.Manish Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 214-08-20241. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in Sadar P. S. Case No.793 of 2023 registered for the
offences punishable under Sections 406, 420, 379, 506 and
34 of the I.P.C.
3. The learned Additional P. P. Sri Rabindra Kumar
submits that the offences for which the instant F.I.R. has
been instituted carries punishment of less than 7 years.
4. The said submission of the learned Additional P.
P. is not disputed by the learned counsel appearing on behalf
of the petitioner and the informant. The learned counsel for



the petitioner further submits that investigation against the petitioner in the case is continuing and petitioner has not been given the benefit of Section 41(A) of the Cr.P.C., on which learned A.P.P. submits that anticipatory bail application be disposed of in terms of order dated 13.02.2024 in Cr. Misc. No.3536 of 2024 (Naushad Ansari vs. the State of Bihar).

5. In view of the submission made by the learned Additional P. P., the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536 of 2024 (Naushad Ansari vs. the State of Bihar).

6. 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 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 order dated 13.02.2024 in Cr. Misc. No.3536 of 2024.



7. At this stage, the learned counsel appearing on behalf of the petitioner submits that it appears that the learned Incharge Sessions Judge, Muzaffarpur acts mechanically. It is further submitted that this Court by its order dated 13.02.2024 in Cr. Misc. No.3536 of 2024 (Naushad Ansari vs. the State of Bihar) has clearly directed that how an accused is to be treated against whom F.I.R. is instituted carries punishment of seven years and less.

8. The Court completely concurs with the submission of the learned counsel appearing on behalf of the petitioner. The Court, for the present, restrains itself from passing any adverse order, but then, directs the learned Incharge Sessions Judge, Muzaffarpur to download the order dated 13.02.2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar) for his perusal.

9. The Court expects that next time, such mechanical orders would not be passed, which gives an impression that the orders of this Court is being breached with impunity.



10. Let a copy of this order be sent to the
learned Incharge Sessions Judge, Muzaffarpur for perusal.

(Satyavrat Verma, J)

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