

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49639 of 2024

Arising Out of PS. Case No.-551 Year-2023 Thana- BODHGAYA District- Gaya

1. Manoj Kumar @ Manoj Kumar Mehta S/O Late Kapil Prasad R/O Village Kurmanwan P.S. Cherki Dist Gaya
2. Golu Kumar @ Sagar Kumar Verma S/O Manoj Kumar R/O Village Kurmanwan P.S. Cherki Dist Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-09-2024 1. Heard the learned counsel for the petitioner and the learned APP for the State.

2. The learned counsel for the petitioner at the outset seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, namely, Manoj Kumar @ Manoj Kumar Mehta, as it has been submitted that he was arrested during pendency of the instant anticipatory bail application.

3. Permission is accorded.

4. The petitioner apprehends his arrest in connection with Bodh Gaya (Cherki) P.S. Case No.551/2023, registered for the offences punishable under Sections 341, 323, 427, 379, 354, 447, 448, 504, 308, 34 of the Indian Penal Code.



5. The learned APP at the outset submits that the offences for which the instant F.I.R. has been instituted against the petitioner 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 petitioner. The learned counsel for the petitioner further submits that the investigation in the case against the petitioner is still continuing but the petitioner has 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).

6. 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).

7. 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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