

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49248 of 2024**

Arising Out of PS. Case No.-512 Year-2023 Thana- KOILWAR District- Bhojpur

1. Ritesh Ram @ Ritesh Kumar Son Of Suresh Ram Village- Semariya, P.S.- Koilwar, Distt.- Bhojpur
2. Jiyut Ram @ Jitu Kumar Son Of Ram Ayadhaya Ram @ Madhe Ram Village- Semariya, P.S.- Koilwar, Distt.- Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Mining Department, Govt. Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md Ataul Haque

For the Opposite Party/s : Mr.Narendra Kumar Singh- A.P.P.

For the Deptt. Of Mines : Mr. Naresh Dikshit

Mr. Brij Bihari Tiwary

Mr. Nitesh Krishna

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

2      05-09-2024                      1. Heard   learned   counsel   for   the   petitioners,

learned A.P.P. for the State and the learned counsel appearing

on behalf of the Department of Mines.

2. The learned counsel for the petitioners submits

that petitioner seeks anticipatory bail in connection with

Koilwar P. S. Case No.512 of 2023 for the offences

punishable under Sections 379, 411 and 34 of the Indian

Penal Code, Sections 11 and 56 of the B. M. (CPIMTS)

Amendment Rules, 2021 and Sections 3 and 4 of the M. M.

(D.R.) Act, 1957.



3. The the learned counsel appearing on behalf of the Department of Mines submits that the offences for which the instant FIR has been instituted, carries punishment of seven years and less, the said submission of the learned APP is not disputed by learned counsel appearing on behalf of the petitioners and the learned counsel appearing on behalf of the Department of Mines.

4. The learned counsel for the petitioners next submits that investigation in the case against the petitioner is still continuing, but then, the petitioners have not been given the benefit of Section 41(A) of the Cr.P.C, on which the learned APP submits that the case be disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

5. In view of the submission made by the learned APP, the anticipatory bail application is disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).



6. The petitioners 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 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the state of Bihar); and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the directions contained in the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

**(Satyavrat Verma, J)**

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