

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49269 of 2024

Arising Out of PS. Case No.-290 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Prem Sagar Choudhary S/o Nepali Chaudhary R/o vill - Garhi Bishanpur, P.S.
and Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 30-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case being
owner of Budha Residential Hotel.

3. It is next submitted that one Sandeep Kumar
Sanjeet had come and was staying in the hotel as a guest, when
the police raided and from his possession a 315 bore rifle was
recovered which was modified without seeking permission to
look like AK-47. It is next submitted that petitioner has no
concern with Sandeep Kumar Sanjeet, but since Sanjeet was
staying in the hotel of the petitioner as such he also came to be



implicated in a mechanical manner.

4. The learned counsel for the petitioner next submits that the FIR has been instituted under various provisions of the IPC and the Arms Act, but then in the nature of allegation as alleged, the punishment under the Arms Act ranges from 3 to 7 years and the punishment under IPC also is less than seven years.

5. It is also submitted that investigation against the petitioner is continuing, but then petitioner has not been given the benefit of Section 41(A) of the Cr.P.C., on which the learned APP submits that the anticipatory bail application be 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. In view of the submissions 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 of 2024 (Naushad Ansari vs. The State of Bihar).

7. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case with a web copy of the order dated 13.02.2024 in Cr. Misc. No.3536 of 2024 within a period of three weeks from today 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 (Naushad Ansari vs. The State of Bihar).

(Satyavrat Verma, J)

Prakash Narayan

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