

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47114 of 2024

Arising Out of PS. Case No.-158 Year-2023 Thana- MIRGANJ District- Gopalganj

Rohit Kumar S/o Yogendra Rai @ Yogendra Ray R/o vill - Paharichak, P.S. -
Sonpur, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 03-10-2024 Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mirganj P.S. Case No. 158 of 2023, dated 02.05.2023 registered for the offence punishable under Section 379 of the Indian Penal Code.

3. Learned A.P.P. submits that the offence for which the instant FIR has been instituted against the petitioner carries punishment of less than seven years.

4. The said submission of the learned A.P.P. is not disputed by the learned counsel appearing on behalf of the petitioner.

5. Learned counsel appearing on behalf of the petitioner based on instruction submits that investigation in the case against the petitioner is still continuing but then petitioner



has not been given the benefit of Section 41(A) of the Cr.P.C., on which learned A.P.P. submits that the case be disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar).

6. In view of the submissions made by the learned A.P.P., the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

7. 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 passed 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 said order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

(Satyavrat Verma, J)

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