

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48422 of 2024

Arising Out of PS. Case No.-1189 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Anish Kumar @ Anish Paswan Son of Pramod Paswan Resident of Village -
Kathariya Moglaha, P.S.- Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Devi Wife of Anish Kumar @ Anish Paswan Resident of Village -
Kathariya Moglaha, Ward No.- 11, P.S.- Turkauliya, District - East
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Ms. Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-10-2024 1. Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Turkauliya P.S. Case No.1189/2023, registered for the offences
punishable under Sections 341, 323, 379, 354, 504, 506, 34, 498A of
the Indian Penal Code & Sections ¾ D.P. Act.

3. The learned counsel submits that from perusal of the
office report dated 30.09.2024, it would manifest that the same
records that house service of the notice was effected as the O.P. No.2
was not present in her house. Be that as it may, the learned APP
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).

4. 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).

5. 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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