

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53048 of 2024

Arising Out of PS. Case No.-583 Year-2023 Thana- SHERGHATI District- Gaya

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CHHOTU KHAN @ MOHAMMAD SHAHZADUDDIN SON OF
MOHAMMAD QUMURADDIN Resident of Village - Shumali, P.S. -
Sherghati, District - Gaya, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RESHAMA PARVEEN WIFE OF IMRAN KHAN Resident of Village -
Khajuriya, P.S. - Banke Bazar, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with
Sherghati P.S. Case No. 583 of 2023, dated 04.06.2023 registered for
the offences punishable under Sections 354(B) and 34 of the Indian
Penal Code as well as Section 67(c) of the IT Act.
3. Learned A.P.P. for the State, at the outset, submits that
the offences for which the instant FIR has been instituted carry
punishment of less than seven years.
4. The said submission of the learned A.P.P. for the State
is not disputed by the learned counsel appearing on behalf of the
petitioner.
5. Learned counsel for the petitioner submits that the
investigation of the case against the petitioner is still going on and



the 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 anticipatory bail application 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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