

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56748 of 2024

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

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RUSTAM KHAN @ RUSTAM ALI SON OF KAJRU KHAN 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

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-08-2024 1. Heard the learned counsel for the petitioner and the

learned APP for the State.
2. The defects, as pointed out by the office are

ignored.
2. The petitioner apprehends his arrest in connection

with Sherghati P.S. Case No.583/2023, registered for the

offences punishable under Sections 354(B) and 34 of the Indian

Penal Code read with Section 67 (c) of the I.T. Act.
3. The learned APP at the outset 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 and he has not been granted 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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