

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50633 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- SARAI RANJAN District- Samastipur

MD. CHAND SON OF GULPHIKAR SAH RESIDENT OF VILLAGE -
SAKRA RAGHUNATHPUR DONMA, P.S. - SAKRA, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MUSARRAT PRAVEEN WIFE OF MD. CHAND, DAUGHTER OF MD.
MAUKHTAR SAH RESIDENT OF VILLAGE - CHAKAHLEDAD, P.S. -
GATHO, DISTRICT - SAMASTIPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sarairanjan (Ghatho O.P.) P.S. Case No. 292 of 2023, dated
20.10.2023 registered for the offences punishable under Sections
341, 323, 498(A) and 504 of the Indian Penal Code as well as
Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that the
case was taken up on 21.08.2024 and notices were issued on
opposite party no. 2 by both process, but from perusal of the office
report, it manifests that service report of ordinary notice and A/D
of registered notice have not been received.

4. The Court proceeds to decide the case on merits in



view of the submissions made by the learned A.P.P. that the case may 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).

5. Learned A.P.P. submits that the offences for which the instant FIR has been instituted against the petitioner carry punishment of less than seven years.

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

7. 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.

8. 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.

9. 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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