

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57986 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- BAGHA District- West Champaran

1. Pukar Ram, Son Of Late Jaykaran Ram Resident Of Village- Singadi Ward No. 13, P.O.- And P.S.- Bagaha, Distt.- West Champaran
2. Sunaina Devi Wife Of Rudal Ram Resident Of Village- Singadi Ward No. 13, P.O.- And P.S.- Bagaha, Distt.- West Champaran
3. Hemawanti Devi @ Devanti Devi Wife Of Pukar Ram Resident Of Village- Singadi Ward No. 13, P.O.- And P.S.- Bagaha, Distt.- West Champaran
4. Sanju Kumari D/O- Pukar Ram Resident Of Village- Singadi Ward No. 13, P.O.- And P.S.- Bagaha, Distt.- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-08-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in Bagaha P. S. Case No.126 of 2024 registered for the offences punishable under Sections 341, 323, 324, 379, 504 and 506/ 34 of the Indian Penal Code.

3. On query of the Court as to whether the petitioners were given the benefit of Section 41(A) of the Cr.P.C. or not, on which the learned counsel appearing on behalf of the petitioners submits that petitioners were not given the benefit of Section



41(A) of the Cr.P.C. and the police were making endeavours to arrest the petitioners, as such, they had no option but to move the learned District Court for seeking anticipatory bail. It is also submitted that from perusal of the order impugned, it would manifest that the same also does not record that as to whether benefit of Section 41(A) of the Cr.P.C. was given to the petitioners or not, which amply demonstrates that petitioners were not given the benefit of Section 41(A) of the Cr.P.C.

4. Accordingly, the anticipatory bail application is disposed of with a direction to the Superintendent of Police, Bagaha, West Champaran to ensure that benefit of Section 41(A) of the Cr.P.C. is given to the petitioners if not given earlier.

5. Let a copy of this order be sent to the learned Additional Sessions Judge-III, Bagaha, West Champaran for his perusal.

(Satyavrat Verma, J)

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