

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58398 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- ITARHI District- Buxar

1. MURTUJA ANSARI @ MURTUJA MIYA @ MURTUZA ANSARE S/O LATE SADIK MIYA Resident of Village- Bhitihara, P.S- Itarhi, District- Buxar-802123
2. MUHABAT MIYAN @ MUHABAT HUSSAIN S/O LATE SADIK MIYA Resident of Village- Bhitihara, P.S- Itarhi, District- Buxar-802123
3. ASAJAD ANSARI S/O MURTUJA ANSARI Resident of Village- Bhitihara, P.S- Itarhi, District- Buxar-802123
4. FAISHAL ALI @ FAISAL ANSARI S/O MUHABAT MIYAN Resident of Village- Bhitihara, P.S- Itarhi, District- Buxar-802123

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Kumar, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Itarhi P.S. Case No. 111 of 2024, dated 11.06.2024 registered for the offences punishable under Sections 147, 149, 341, 308, 323, 385, 379, 504 and 506 of the Indian Penal Code.

3. Learned A.P.P., at the outset, submits that the offences for which the instant FIR has been instituted against the petitioners carry punishment of seven years and less.

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



petitioners.

5. Learned counsel for the petitioners further submits that investigation in the case against the petitioners is still continuing but then petitioners have 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 (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 petitioners 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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