

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2682 of 2024

In
CRIMINAL MISCELLANEOUS No.61139 of 2023

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Rakesh Kumar Sinha S/o Late Ram Padarth Prasad a resident of Village-Senduria, Ward No.- 1, P.O. and P.S.- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Rajvinder Singh Bhatti, I.P.S., the Director General of Police Bihar.
2. Sri Rajvinder Singh Bhatti, I.P.S., the Director General of Police, Bihar.
3. Sri Manoj Kumar Tiwari, I.P.S., the Superintendent of Police, Sitamarhi.
4. Sri Kundan Kumar, the SHO, Bairgania P.S., Sitamarhi.
5. Manita Kumari, PSI, Bairgania P.S., Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-09-2024 1. Heard learned counsel for the petitioner and Mr. Chandra Bhushan Prasad learned A.P.P. for the State.

2. Learned A.P.P. files show cause on behalf of the Superintendent of Police, Sitamarhi and the Investigating Officer of the case. The same is taken on record.

3. Learned A.P.P. placing reliance on para 11 of the show cause filed on behalf of the Superintendent of Police, Sitamarhi submits that it has been specifically recorded that the petitioner would not be arrested until Cr. Misc. No. 61139 of 2023 is not decided. Learned A.P.P., thus, submits that now petitioner does not have any apprehension of arrest and



inadvertently the notice under Section 41(1) of the Cr.P.C. was issued.

4. Learned counsel appearing on behalf of the petitioner also does not press the contempt application any further.

5. In view of the specific submissions made by the learned A.P.P. and pleadings at para 11 and 13 of the show cause of the Superintendent of Police, Sitamarhi and the Investigating Officer of the case, the learned counsel for the petitioner submits that since it has been submitted that petitioner will not be arrested until Cr. Misc. No. 61139 of 2023 is decided, as such, the contempt application is not pressed.

6. In view of the submissions made by the learned counsel for the parties, the contempt proceeding is dropped.

(Satyavrat Verma, J)

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