

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59437 of 2024**

Arising Out of PS. Case No.-131 Year-2023 Thana- ARA RAIL P.S. District- Bhojpur

Rajesh Choubey S/O Radheshyam Choubey R/O Village- Gayghat, P.O-  
Nateya Kaimur, P.S- kudra, Distt.- Kaimur At Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      17-09-2024      1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offence punishable under Sections 379 of the Indian Penal Code.
3. The learned APP for the State, at the outset, submits that the offences for which the instant FIR has been instituted carries punishment of seven 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 next submits that investigation in the case against the petitioner is still continuing, but then the petitioner has not been given the benefit of Section 41A of the Cr.P.C. on which the learned APP submits that the case be disposed of in terms of order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024 (*Nausad Ansari vs. The State of Bihar*).



4. In view of the submissions made by the learned APP that anticipatory bail application is disposed of in terms of order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024 (*Nausad Ansari vs. The State of Bihar*).

The petitioner will 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 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari Vs. the state of Bihar) and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the directions contained in the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. The State of Bihar).

(Satyavrat Verma, J.)

Sudhanshu/-

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