

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64371 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- BARARI District- Katihar

1. Jahanoor Khatoon Wife of Md. Azad @ Azad Resident of Village- Marghia Kadar Tola, P.S.- Barari, Distt.- Katihar
2. Md. Mahfooz @ Md. Mahfool Md. Azad @ Azad Resident of Village- Marghia Kadar Tola, P.S.- Barari, Distt.- Katihar
3. Md. Nijamul @ Md. Nijamul Haque @ Md. Nikamul Haque Son of Md. Azad @ Azad Resident of Village- Marghia Kadar Tola, P.S.- Barari, Distt.- Katihar
4. Md. Rafique @ Mad Rafique Son of Md. Azad @ Azad Resident of Village- Marghia Kadar Tola, P.S.- Barari, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-10-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The learned counsel for the petitioner submits that petitioner seeks anticipatory bail in connection with Barari P. S. Case No.01 of 2024 for the offences punishable under Sections 341, 323, 354(B), 379 and 506/34 of the Indian Penal Code.
3. The learned APP Sri Rabindra Kumar submits that the offence 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 learned counsel appearing on behalf of the petitioner.

4. 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 granted the benefit of Section 41(A) of the Cr.P.C, on which the learned APP submits that the case be disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

5. In view of the submission made by the learned APP, the anticipatory bail application is disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

6. 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



13-2-2024 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)

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