

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62800 of 2024

Arising Out of PS. Case No.-460 Year-2023 Thana- GAYA KOTWALI District- Gaya

Saket Sameer Son of Sahdev Prasad Barnwal Resident of Village-08, R.N. Bose Road, Opposite St. Mary School, Satsang Nagar Deoghar, P.S.- Deoghar, Distt.- Deoghar (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surbhi Kumari Daughter of Shambhu Nath Resident of Village- G.B. Road, Gaya, Suhagan Saree Showroom, P.S.- Kotwali, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kotwali P.S. Case No. 460 of 2023, dated 25.07.2023 registered for the offences punishable under Sections 341, 323, 379, 504 and 498(A) of the Indian Penal Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned A.P.P. submits that the offences for which the instant FIR has been instituted against the petitioner carry punishment of less than seven years.

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



5. Learned counsel appearing on behalf of the petitioner based on instruction submits that investigation in the case against the petitioner is still continuing but then petitioner has 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 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 13.02.2024 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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