

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64022 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- HARLAKHI District- Madhubani

1. Upendra Mandal S/O Khobhari Mandal Residents of village- Madhubani Tola Sathegaon, P.S- Harlakhi, District -Madhubani
2. Bhwani Devi W/O Upendra Mandal Residents of village- Madhubani Tola Sathegaon, P.S- Harlakhi, District -Madhubani
3. Uma Devi W/O Khobhari Mandal Residents of village- Madhubani Tola Sathegaon, P.S- Harlakhi, District -Madhubani
4. Khobhari Mandal S/O Late Nirgun Mandal Residents of village- Madhubani Tola Sathegaon, P.S- Harlakhi, District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad, A.P.P.
	Mr. Prabhakar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners, Mr. Chandra Bhushan Prasad learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in connection with Harlakhi P.S. Case No. 125 of 2024, dated 04.05.2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 308, 354(B), 379, 448, 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 and the informant.

5. Learned counsel for the petitioners 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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