

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66280 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Ashok Kumar Maurya @ Ashok Kumar S/o Late Premchandra @ Late Nam Chand Maurya Director of M/s Agro Power Gasification Plant Pvt. Ltd., R/o B 37/181 B-1 Birdopur Mahmoorganj PS - Bhelupur, Distt. - Varanasi (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and Mr. Chandra Bhushan Prasad learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ramgarh P.S. Case No. 68 of 2023, dated 12.03.2023 registered for the offences punishable under Sections 406, 418 and 420/34 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 petitioner 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 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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