

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65067 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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Sumesh Kumar @ Sumesh Kumar Yadav Son of Late Chandrika Rai Resident
of Village - Barharwa, Semuapur, P.S. - Dumariyaghat, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

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

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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, Shri. Chandra Bhushan Prasad.
2. The learned counsel for the petitioner submits that
petitioner seeks anticipatory bail in connection with
Dumariyaghat P.S. Case No. 284 of 2023 for the offences
punishable under Section 504 of the Indian Penal Code and
Section 67 of I.T. Act.
3. The learned APP, at the outset, submits that the
offences for which the instant FIR has been instituted, carries
punishment of less than seven years, 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).

7. It is made clear that in the event if the Investigating Officer of the case after investigation comes to a conclusion that



offences for which the instant FIR has been instituted are
bailable in that event he will proceed strictly in accordance with
law.

(Satyavrat Verma, J)

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