

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64388 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- CHERKI District- Gaya

1. Gautam Kumar Son of Sanjay Yadav Village- Kamaldah Ps- Paraiya Dist- Gaya
2. Pintu Kumar yadav Son of Sanjay Yadav Village- Lodipur Ps- Paraiya Dist- Gaya
3. Sanoj Kumar @ Nepali Yadav Son of Krishna Yadav Village- Mahua Bigha Dirawan Ps- Cherki Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 17-10-2024 1. Heard the learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Cherki P.S. Case No.21/2024, registered for the offences punishable under Sections 379, 353, 411 of the Indian Penal Code, Sections 21, 4(1A) of the M.M.(D & R) Act, 1957, Sections 11 & 18 of the BM (CPIM T & S) Amendment Rule, 2019 and Section 56 of the BM (CPIM T & S) Amendment Rule, 2021.

3. The learned APP at the outset submits that the offences for which the instant F.I.R. has been instituted against the petitioners carries a punishment of less than 7 years. The said submission of the learned APP is not disputed by the



learned counsel appearing on behalf of the petitioners. The learned counsel for the petitioners further submits that the investigation in the case against the petitioners is still continuing but the petitioners have not been given the benefit of Section 41(A) Cr.P.C., on which, the learned APP submits that the case be disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar).

4. In view of the submission made by the learned APP the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar).

5. The petitioners would be at liberty to file a representation within a period of three weeks from today before the concerned Superintendent of Police of the district and the Investigating Officer of the case with a web copy of the order dated 13.02.2024 in Cr. Misc. No.3536/2024 (Naushad Ansari vs. State of Bihar) and the Superintendent of Police shall ensure that Investigating Officer of the case strictly adhere to the direction contained in the said order.

(Satyavrat Verma, J)

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