

Arising Out of PS. Case No.-1 Year-2024 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

- Petitioner/s

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Gopal Jha, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

2 22-11-2024

1. Heard learned counsel for the petitioners and Mr.

Rabindra Kumar learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 22(1), 23(1), 23(3) and 25 of the PC and PNDT Act. 1994.

3. Learned counsel for the petitioners submits that petitioners had earlier moved this Court seeking anticipatory bail by filing Cr. Misc. No. 54089 of 2024 and the same was disposed of by an order dated 29.08.2024 in light of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar). Learned counsel further submits that petitioners, during the course of investigation, cooperated and the police never felt the need of arresting them. It is next submitted that though petitioners were given the benefit of Section 41(A) of the Cr.P.C. but then the same



cannot be construed as police bail. It is also submitted that had any material surfaced, during the course of investigation, the police was free to arrest the petitioners in accordance with the procedure established by law but then the same was not done. It is submitted that no useful purpose would be served by sending the petitioners to jail when petitioners, during the course of investigation, have cooperated.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Buxar Complaint Case No. 01(O) of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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