

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86299 of 2023

Arising Out of PS. Case No.-361 Year-2019 Thana- KOTWA District- East Champaran

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1. ANIL KUMAR S/O CHANDRA KISHORE PRASAD R/O KARARIYA, P.S- KOTWA, DISTT.- EAST CHAMPARAN.
 2. CHANDRA KISHORE PRASAD S/O LATE MAHAVIR PRASAD R/O KARARIYA, P.S- KOTWA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Suman Kumar Tiwari S/O Sant Lal Tiwari R/O Muhalla- Manokamna Ply Centre, Main Rd. Raja Bazar, Motihari P.S- Nagar, Motihari, Distt.- East Champarn.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the informant and Mr. Rajendra Prasad Nat learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Kotwa P.S. Case No. 361 of 2019, dated 24.12.2019 registered for the offences punishable under Sections 420, 406, 323, 379, 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 further submits that investigation in the case against the petitioners is still continuing but then petitioners till date 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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