

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4610 of 2025

Arising Out of PS. Case No.-861 Year-2023 Thana- FORBESGANJ District- Araria

Shubham @ Shubham Kumar @ Shubham Kumar Thakur @ Shubham Thakur Son of Vinay Kumar Thakur @ Vinay Thakur Resident of Village - Ward No. 15, Pokhar Basti, Badashivalaya Road, Near Central Public School, Forbesganj, P.S. - Forbesganj, P.O. - Forbesganj, District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nawas Ansari @ Sarkar Son of Late Ibrahim Ansari Resident of Village - Rampur Uttar, Ward No.1, P.S. - Forbesganj, P.O. - Forbesganj, District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Ms. Puja Kumari, Advocate
For the Opposite Party/s	: Mr. Prem Kumar Jha, A.P.P.
For the O.P. No. 2/Informant	: Mr. Arun Kumar Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-05-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the opposite party no. 2.

2. The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 861 of 2023, dated 12.09.2023 registered for the offences punishable under Sections 406, 420, 379 and 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 carry punishment of seven years and less.

4. The said submission of the learned A.P.P. for the State is not disputed by the learned counsel appearing on behalf



of the petitioner and the opposite party no. 2.

5. Learned counsel appearing on behalf of the petitioner submits that the investigation of the case against the petitioner is still continuing but then the petitioner has not been issued notice under Section 41(1)(b) of the Cr.P.C. on which learned A.P.P. submits that the anticipatory bail application 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 aforesaid 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 (Naushad Ansari Vs. The State of Bihar).



8. At this stage, learned counsel appearing on behalf of the petitioner submits that the learned District Court in mechanical manner rejects such anticipatory bail application without appreciating the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar).

9. Let a copy of this order be communicated to the learned 1st Additional Sessions Judge-cum-Special Judge, Araria for his perusal.

(Satyavrat Verma, J)

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