

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18851 of 2025

Arising Out of PS. Case No.-199 Year-2019 Thana- DEHRI TOWN District- Rohtas

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1. Dhananjay Singh Son of Chhatu Singh Resident of Village- Garbat Bigha, P.S.- Dehri (Muffasil), Distt.- Rohtas at Sasaram
 2. Sanjay Kumar Singh Son of Chhathu Singh Resident of Village- Garbat Bigha, P.S.- Dehri (Muffasil), Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ali Hussain Mining officer district mines Department Sasaram, Rohtas P.S. Sasaram District- Rohtas, Permanent address- S/o Late Jamir Hussain, Village- Ujjain Tola, P.S. - Betiya, Distt. - Bettiah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the Department of Mines.

2. The petitioners apprehend their arrest in connection with Dehri (Town) P.S. Case No. 199 of 2019, dated 26.03.2019 registered for the offences punishable under Sections 414 and 34 of the Indian Penal Code and Section 8 of the Bihar Mines and Minerals Act.

3. Learned counsel for the petitioners submits that the case was taken up on 18.04.2025 when the learned counsel appearing on behalf of the Department of Mines had sought four weeks time for filing counter affidavit but the same till date has



not been filed.

4. The Court will not wait for the Department of Mines to file counter affidavit.

5. Learned counsel for the petitioners submits that the instant FIR has been instituted under Sections 414 and 34 of the Indian Penal Code. It is further submitted that petitioners were not named in the FIR.

6. At this stage, learned A.P.P. submits that the offences for which the instant FIR has been instituted carry punishment of less than seven years.

7. The said submission of the learned A.P.P. for the State is not disputed by the learned counsel appearing on behalf of the petitioners and the learned counsel appearing on behalf of the Department of Mines.

8. Learned counsel appearing on behalf of the petitioners submits that the investigation of the case against the petitioners is still continuing but then the petitioners have not been issued notice under Section 41(A) 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).



9. 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.

10. 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 (Naushad Ansari Vs. The State of Bihar).

(Satyavrat Verma, J)

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