

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8506 of 2025

Arising Out of PS. Case No.-408 Year-2023 Thana- KHAGARIA District- Khagaria

Kiran Devi @ Kiran Kumari Wife of Arun Jha @ Munna Jha Resident of Village - Tarapur Sadhi, P.S. - Tarapur, District - Munger, at present resident of Village - Koriyasa Basmata, Ward No.10, P.S. - Koriyasa, District - Deoghar (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The learned counsel for the petitioner submits that petitioner seeks anticipatory bail in connection with Khagaria (Muffasil) P. S. Case No.408 of 2023 for the offences punishable under Sections 498A, 504, 506, 323 and 348 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.
3. The learned APP Sri Chandra Bhushan Prasad submits that the offence for which the instant FIR has been instituted, carries punishment of less than seven years, the said submission of the learned APP is not disputed by learned counsel appearing on behalf of the petitioner.



4. The learned counsel for the petitioner next submits that investigation in the case against the petitioner is still continuing, but then, the petitioner has not been given the benefit of Section 41(A) of the Cr.P.C, on which the learned APP submits that the case be disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

5. In view of the submission made by the learned APP, the anticipatory bail application is disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

6. 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 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the state of Bihar); and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the directions contained in the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

7. The Court, for the present, is not initiating any



action against the erring officials, but if it comes to the notice of the Court in subsequent cases that the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar) is not being complied in its letter and spirit, the Court will be constrained to initiate action against the erring authorities.

8. Let a copy of this order be sent to the learned District Judge, Khagaria, the Director General of Police, Bihar, Patna and the Superintendent of Police, Khagaria for their perusal and necessary action.

(Satyavrat Verma, J)

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