

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12606 of 2025**

Arising Out of PS. Case No.-116 Year-2022 Thana- LAKHNAUR District- Madhubani

Sweety Kumari Wife of Ravindra Kumar Sahu Resident of Village
-Murtazapur Police Station -Bahera District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 19-03-2025 Heard the learned counsel for the petitioner and
the learned Additional Public Prosecutor for the State.

2. This is an application for grant of anticipatory bail by way of second attempt, in connection with Lakhnaur (RSOP) P.S. Case No.116 of 2022, registered for offences under Sections 279, 295-A, 379 and 429 of the Indian Penal Code, Section 11 of the Prevention of Cruelty to Animal Act and Sections 3/4/14(B) of the Bihar Prevention and Improvement of Animals Act, 1955, inasmuch as the earlier petition filed by the petitioner for grant of anticipatory bail, bearing Cr. Misc. No.26378 of 2023 was disposed off by this Court by an order dated 07.07.2023 on the ground that since the petitioner has already been granted the benefit



under Section 41 of the CrPC, after furnishing bond before the police, the petitioner is not having any apprehension of arrest.

3. At this juncture, the learned counsel for the petitioner submits that now the learned Court of ACJM-1, Jhanjharpur has taken cognizance against the petitioner and one another co-accused person under Sections 279/ 379/ 429 of the Indian Penal Code, Section 11 of the Prevention of Cruelty to Animal Act, 1960 and Section 3/4/14(B) of the Bihar Prevention and Improvement of Animals Act, 1955, hence the present petition may be disposed off in terms of the judgment rendered in the case of ***Mahendra Prasad Singh vs. the State of Bihar***, reported in 2004 (3) PLJR 491.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present petition with a direction to the petitioner to surrender before the learned Court of Sub-divisional Judicial Magistrate, Jhanjharpur/concerned Court, in connection with Lakhsaur (RSOP) P.S. Case No.116 of 2022, within a period of six weeks from today and pray for grant of bail, which shall be immediately considered by the learned Trial Court and it



shall pass an order considering the criterion and principle of law laid down by the Hon’ble High Court in the case of *Mahendra Prasad Singh* (supra).

(Mohit Kumar Shah, J)

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