

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14327 of 2025

Arising Out of PS. Case No.-1709 Year-2024 Thana- PHULWARISHARIF District- Patna

Nishi Khan Wife of Md. Mojibul Arfin @ Appu Khan Resident of Village- C-5 Fatma Residency, Sector-2, Harun Nagar, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends her arrest in connection with Phulwari Sharif P.S. Case No. 1709 of 2024, dated 05.11.2024 registered for the offences punishable under Sections 406, 420 and 120B 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.

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 proceeds and it appears that the learned 24th



District and Additional Sessions Judge, Patna is not aware of 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 29th District and Additional Sessions Judge, Patna for his perusal.

(Satyavrat Verma, J)

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