

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13990 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- DHARHARA District- Munger

Manoj Singh @ Manoj Kumar Singh Son of Late Nandan Singh Resident of
Village - Bhalar, P.S. - Dharahra, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 313-05-20251. Heard learned counsel for the petitioner and learned
APP for the State.
2. The learned counsel for the petitioner submits that
petitioner seeks anticipatory bail in connection with Dharhara P.S.
Case No. 274 of 2024 registered for the offences punishable under
Sections 126(2), 115, 118(1) and 117 of Bharatiya Nyaya Sanhita.
3. The learned APP, at the outset, submits that the
offences for which the instant FIR has been instituted, carries
punishment of seven years and less, the said submission of the
learned APP is not disputed by learned counsel appearing on
behalf of the petitioner.
4. The learned counsel appearing on behalf of the
petitioner next submits that investigation in the case against the
petitioner is still continuing but then the petitioner has not been



given notice under Section 35 of the Bharatiya Nagrik Suraksha Sanhita (BNSS).

5. Learned APP for the State, at this stage, submits that Section 35 BNSS is akin to Section 41(1)(b) Cr.P.C. It is next submitted that this Court considered the scope of Section 41(1)(b) Cr.P.C. by an order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. The State of Bihar). Learned APP, thus, submits that petitioner be directed to file a representation before the authorities concerned under Section 35 BNSS.

6. After hearing learned counsel for the parties, the anticipatory bail application is disposed of with a liberty to the petitioner 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, in terms of Section 35 BNSS; and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the provisions contained in Section 35 BNSS.

7. Let a copy of this order be sent to the learned District & Additional Sessions Judge-III, Munger for his perusal.

(Satyavrat Verma, J)

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