

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13575 of 2025

Arising Out of PS. Case No.-25 Year-2024 Thana- KODHOBARI District- Kishanganj

Khagesh Kumar Sah @ Khagesh Sah S/o Mithesh Sah Resident of village-
Palsa, Ward No. 2, P.S.- Kodhobari, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Devi W/o Khagesh Kumar Sah @ Khagesh Sah, D/o Shishu Nath Sah
R/o Kashibari, ward no. 9, P.s.- Palashi, Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amal Kumar Sinha, Adv
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad, APP
	Mr. Mukesh Kumar Rana, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.

2. The learned counsel for the petitioner submits that
petitioner seeks anticipatory bail in connection with Kodhobari
P.S. Case No. 25 of 2024 for the offences punishable under
Sections 341, 323, 379, 494, 498A, 504, 506 and 34 of the Indian
Penal Code and Sections 3 and 4 of Dowry Act.

3. The learned APP, at the outset, submits that the
offences 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 and informant.

4. The learned counsel for the petitioner submits that investigation in the case against the petitioner is continuing but then the petitioner has not been given notice under Section 41(1) (b) 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. Learned counsel appearing on behalf of the



petitioner, at this stage, submits that the learned District Courts, in mechanical manner, are rejecting anticipatory bail application without appreciating the order dated 13-2-2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

8. Let a copy of this order be sent to the learned Additional Sessions Judge-III, Kishanganj, for his perusal.

(Satyavrat Verma, J)

SUMIT/-

U		T	
---	--	---	--

