

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19044 of 2025

Arising Out of PS. Case No.-13 Year-2024 Thana- SONNAGAR RAIL P.S. District- Gaya

Mohit Kumar S/O Dharmendra Prasad Resident Of Village- Panch Mohalla,
P.S- Jehanabad, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-04-2025 1. Heard learned counsel for the petitioner and Mr. Chandra Bhushan Prasad, learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Nagar Rail P.S. Case No. 13 of 2024, dated 30.05.2024 registered for the offences punishable under Sections 379 and 356 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 less than seven years.
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 going on and the petitioner has not been issued



notice under Section 41(1)(6) 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 and Additional Sessions Judge-III, Gaya while considering the anticipatory bail application of the petitioner in the order impugned has recorded that petitioner will surrender in terms of the order of this Court



passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar). It is further submitted that this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar) has not given any such direction that the accused would surrender before the learned trial court.

9. Let a copy of this order be communicated to the District and Additional Sessions Judge-III, Gaya for his perusal.

(Satyavrat Verma, J)

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