

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27848 of 2025

Arising Out of PS. Case No.-67 Year-2023 Thana- MAHILA PS District- Gaya

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Avinash Kumar S/o- Birju Lal Prajapati @ Birju Lal Pandit Resident of
Village- Manpur Kumhar Toli, P.O - Buniyadganj, P.S - Muffasil, District -
Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gunja Kumari W/o- Avinash Kumar, D/o- Mundrika Pandit R/o Village-
Tarangnadih Masohari Po + PS- Masaudhi Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 13-08-2025 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 petitioner apprehends her arrest in connection

with Gaya Mahila Thana P.S. Case No. 67 of 2023, dated

06.09.2023 registered for the offences punishable under

Sections 341, 323, 498(A), 504 and 34 of the Indian Penal Code

as well as Sections 3 and 4 of the Dowry Prohibition Act.
3. Learned counsel for the parties jointly submitted

that the case was referred for mediation but then mediation

failed.
4. At this stage, learned A.P.P. submits that the

offences for which the instant FIR has been instituted carry



punishment of less than seven years.

5. 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 and the informant but then the learned counsel for the petitioner submits that investigation in the case against the petitioner is continuing but petitioner has not been issued notice under Section 41A of the Cr.P.C. on which learned counsel appearing on behalf of the informant submits that the case was taken up on 07.05.2025 and no coercive step was directed, as such, it appears that notice under Section 41A of the Cr.P.C. was not issued to the petitioner.

6. Learned counsel appearing on behalf of the petitioner rebuts the said submissions and submits that the case is of the year 2023 and in between 2023 till 06.05.2025 the police did not issue notice under Section 41A of the Cr.P.C..

7. At this stage, 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).

8. 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.

9. 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).

(Satyavrat Verma, J)

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