

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41771 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- DIGHA District- Patna

Shilpi Kumari @ Shilpi Mahto W/o Late Deepak Mahto Resident of Mithila Colony, Nasriganj, PS- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi, Adv.

Mr. Avinash Shekhar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 17-10-2025 Heard Mr. Suraj Samdarshi, learned counsel for the petitioner and the State.

2. The petitioner apprehends his arrest in connection with Digha P.S. Case No. 420 of 2024 for the offence registered under sections 61, 103, 109 of the BNS, 2023 and Section 25(1-b)a, 26, 27 and 35 of the Arms Act.

3. At the outset, learned counsel for the petitioner has taken this Court to the order dated 06.09.2024 passed by the Co-ordinate Bench in Cr.W.J.C. No. 1643 of 2024 (Shilpi Kumari @Shilpi Mahto Vs. State of Bihar & Ors.) to show that the FIR in question (Digha P.S. Case No. 420 of 2024) has been challenged in which while issuing notice to the opposite party no. 6, interim protection was granted to the petitioner.

4. His submission is that in that background, for the



present, he may be permitted to withdraw the petition with liberty to agitate the matter afresh if situation so warrant.

5. This Court would like to incorporate the order dated 06.09.2024, specially paragraph 6 and 7 which read as follows:

6. Since a prima facie case is made out in favour of the petitioner, it is directed that till the next date of hearing, no coercive steps be taken against the petitioner pursuant to the said first information report in connection with Digha P.S. Case No. 420 of 2024 pending in the Court of learned A.C.J.M.-XIII, Danapur, Patna.

7. Put up this matter immediately after service of notice.

8. Considering the aforesaid facts, since an interim protection has already been granted to the petitioner and no further hearing has taken place, in that background, granting liberty to the petitioner to agitate the matter afresh, if situation so warrant, the present Cr. Misc. No. 41771 of 2025 is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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