

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71691 of 2024

Arising Out of PS. Case No.-176 Year-2022 Thana- PATRAKARNAGAR District- Patna

Santosh Kumar Son of Devendra Kumar Mahto Resident of Village- Basauni
Ward no. 15, P.O - Dharhara, P.S- Piri Bazar, District- Lakhisarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Mishra

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State, Shri. Rabindra Kumar.

2. The learned counsel for the petitioner submits that
petitioner seeks anticipatory bail in connection with Patrakar
Nagar P.S. Case No. 176 of 2022 for the offences punishable under
Sections 406, 420 and 120B of the Indian Penal Code.

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 for 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 41(A) 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. The learned counsel appearing on behalf of the petitioner, at this stage, submits that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute is purely civil to which a criminal colour has been given, as such, submits that privilege of anticipatory bail be granted to the petitioner, on which the learned APP submits that police will investigate the case threadbare keeping the said submission of the learned counsel appearing on behalf of the petitioner in mind.

6. 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).

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 13-2-2024 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).

(Satyavrat Verma, J)

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