

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71517 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. Chitu Yadav @ Chintu Yadav S/o Late Udit Yadav R/o Kaler Tola, Siyari, P.S. - Magadh Medical College, Distt. - Gaya
 2. Ravi Kumar S/o Chitu Yadav @ Chintu Yadav R/o Kaler Tola, Siyari, P.S. - Magadh Medical College, Distt. - Gaya
 3. Rahul Kumar S/o Chitu Yadav @ Chintu Yadav R/o Kaler Tola, Siyari, P.S. - Magadh Medical College, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-02-2025 1. Heard learned counsel for the petitioners and Mr. Rabindra Kumar, learned A.P.P. for the State.
2. The petitioners apprehend their arrest in connection with Magadh Medical College P.S. Case No. 93 of 2024, dated 05.04.2024 registered for the offences punishable under Section 420 and 406 of the Indian Penal Code.
3. Mr. Rabindra Kumar, learned A.P.P. for the State at the outset submits that the offences for which the instant FIR has been instituted carry punishment of seven years and less.
4. The said submission of the learned A.P.P. is not disputed by the learned counsel appearing on behalf of the petitioners.



5. Learned counsel appearing on behalf of the petitioners submits that the investigation of the case against the petitioners is still continuing but then petitioners have not been issued notice under Section 41A 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 petitioners 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.

8. At this state, learned counsel appearing on behalf of the petitioners submits that Kusaila Devi @ Kaushalya Devi



is also an accused in the instant FIR and she has been given notice under Section 41A of the Cr.P.C. but then the petitioners in the instant anticipatory bail application have not been given notice under Section 41A of the Cr.P.C. which amply demonstrates the highhandedness of the police.

(Satyavrat Verma, J)

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