

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79853 of 2024

Arising Out of PS. Case No.-37 Year-2021 Thana- DURAULI District- Siwan

1. Saroj Devi W/O Sharda Chaubey @ Shardanand Chaubey R/O Village- Gadwar, P.S- Darauli, Distt.- Siwan.
2. Sharda Chaubey @ Shardanand Chaubey S/O Late Fatigan Chaubey R/O Village- Gadwar, P.S- Darauli, Distt.- Siwan.
3. Nilu Kumari @ Nidhi Kumari Chaubey @ Nidhi Kumari D/O Sharda Chaubey @ Shardanand Chaubey R/O Village- Gadwar, P.S- Darauli, Distt.- Siwan.
4. Shani Chaubey @ Ratnesh Kumar Chaubey S/O Sharda Chobey @ Shardanand Chaubey R/O Village- Gadwar, P.S- Darauli, Distt.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Triguna Dubey S/O Ram Das Dubey R/O Tikar P.S. Barhaj Dist- Deoria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-01-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners submits that petitioners seek anticipatory bail in connection with Darauli P. S. Case No.37 of 2021 for the offences punishable under Sections 498A and 363/34 of the I.P.C and Sections 3 and 4 of the D. P. Act.
3. The learned APP Sri Chandra Bhushan Prasad



submits that the offence 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 petitioners.

4. The learned counsel for the petitioners next submits that investigation in the case against the petitioners is still continuing, but then, the petitioners have not been given the benefit of Section 41(A) of the Cr.P.C. The learned counsel for the petitioners further submits that the victim has returned and she has not supported the case of the prosecution, on which the learned APP submits that all these plea can be taken before the police even. The learned A.P.P. next 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. 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).

6. 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 13-2-2024 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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