

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88050 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- MAHILA P.S. District- Bhojpur

Md. Asraf Ali @ Asraf Ali Son of Md. Misha @ Md. Akbar Ali Resident of
Village - Agarsanda (Behra), P.S. - Ara Muffasil, District - Bhojpur at Ara.
... .. Petitioner/s

Versus

1. The State of Bihar
2. Tamanna Praveen Wife of Md. Asraf Ali Resident of Village - Agarsanda (Behra), P.S. - Ara Muffasil, District - Bhojpur at Ara. At present address - Resident of Village - Bandha, P.S. - Bihiya, District - Bhojpur at Ara.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-01-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Shri. Chandra Bhushan Prasad.
2. The learned counsel for the petitioner submits that petitioner seeks anticipatory bail in connection with Bhojpur Mahila P.S. Case No. 76 of 2024 for the offences punishable under Sections 341, 323, 498A, 354, 504 and 506 of the Indian Penal Code and Sections 3 and 4 of Dowry Act.
3. The learned APP, at the outset, submits that the offences for which the instant FIR has been instituted, carries punishment of less than seven years, 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 granted the benefit of 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. 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 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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