

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3804 of 2025

Arising Out of PS. Case No.-432 Year-2024 Thana- ARA NAGAR District- Bhojpur

Suraj Kumar, Son of Shri Krishna Ji Resident of Mohalla- Shital Tola, P.S-
Arah Nagar, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shreya Kumari, Wife of Suraj Kumar Resident of Mohalla- Shivganj (Shital Tola), P.S- Arah Nagar(Town), District- Bhojpur, Bihar (India)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
		Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-05-2025 The record has been put up under the heading ‘For
Orders on Office Notes’.

2. Office note shows neither the ordinary process nor
the registered cover has been received by the opposite party
no.2.

3. However, from perusal of record, I find that a
supplementary affidavit has been filed on behalf of the
petitioner submitting that the Investigation Officer of the case
has served notice under Section 35 (3) of BNSS, 2023 to the
petitioner and directed him to appear before the police on
03.03.2025. On the date given in the notice, the petitioner
appeared before the Investigating Officer, who has taken



personal bond of the petitioner and the petitioner was not arrested. It has further been submitted that there is no apprehension of arrest of the petitioner by the police and the present anticipatory bail petition is become infructuous. The learned counsel submits that the present petition be disposed of in the light of orders of the Hon'ble Supreme Court in the cases of *Arnesh Kumar v. State of Bihar*, reported in *(2014) 8 SCC 273* and *Mohd. Asfak Alam v. State of Jharkhand*, reported in *(2023) 8 SCC 632*.

4. In the light of aforesaid submission of learned counsel for the petitioner, the present anticipatory bail petition is dismissed as withdrawn.

(Arun Kumar Jha, J)

V.K.Pandey/-

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