

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50964 of 2014

Arising Out of PS.Case No. -2462 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Bijendra Rai Son of Jagat Rai @ Ram Sagar Rai Resident of Village -
Chekpost Dharmsala Didarganj P.S.- Didarganj, District -Patna at Present
Station Rail Line Purveshnagar, P.S.- Satgon, District - Gohatti

.... Petitioner

Versus

1. The State of Bihar

2. Reeta Kumari Daughter of Sipahi Rai Resident of Village - Hihalpur
Madarpur, P.S.- Ganga Bridge, Distt- Vaishali, Sasural wife of Bijendra Rai
Village - Didarganj, Chekpost Daramsala, P.s.- Didarganj, District - Patna

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vasant Vikas, Advocate

For the Opposite Party No.1: Mr. R.B.Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

7 09-07-2015

This is an application, made under Section 438 of
the Code of Criminal Procedure, seeking pre-arrest bail by the
petitioner, namely, Bijendra Rai, in connection with Complaint
Case No. C1 2462 of 2011 under Section 498A of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

Perused the above application and materials on
record including a copy of the order, dated 03.09.2014, passed, in
A.B.P. No. 964 of 2014, by the learned Sessions Judge, Vaishali
at Hajipur, dismissing the said application for pre-arrest bail.

Heard Mr. Vasant Vikas, learned Counsel for the
petitioner, and Mr. R. B. Roy Raman, learned Additional Public
Prosecutor, appearing on behalf of the State.

It is submitted by learned Counsel, appearing on behalf of the petitioners that petitioner has, now, decided to appear in the learned court below in the case aforementioned.

In view of the above, learned Counsel, appearing on behalf of the petitioners, seeks permission to withdraw this petition.

No objection has been raised to the prayer for withdrawal made by the petitioners.

In view of above and in the interest of justice, the application is hereby disposed of as withdrawn with liberty aforementioned.

It is further made clear that if, the petitioner, on his appearance in the learned Court below, in connection with the case aforementioned, applies for bail, as has been sought for on his behalf, learned Sessions Judge shall look into the prayer for bail on the basis of the materials available and not merely on the basis of the submission, which may be made by the learned Prosecutor, and shall dispose of the same at the earliest.

(I. A. Ansari, J)

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