

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8500 of 2015

Arising Out of PS.Case No. -243 Year- 2014 Thana -MAHUA District- VAISHALI(HAJIPUR)

1. Mohammad Danish S/o Md. Jahangir
2. Mohammad Akram S/o Md. Tauhid Both Resident of Village Hasanpur
Osti, P.S. Mahua, District Vaishali.

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr. Rama Kant Sharma, Senior Advocate
For the Opposite Party : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

5 09-07-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioners, namely, Mohammad Danish and Mohammad Akram, in connection with Mahua Police Station Case No. 243 of 2014 under Sections 341/323/363/366A/376 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 06.02.2015, passed, in A.B.P. No. 1880 of 2014, by the learned Sessions Judge, Vaishali at Hajipur, dismissing the said application for pre-arrest bail.

Heard Mr. Rama Kant Sharma, learned Senior Counsel for the petitioners, and Mr. Ashok Kumar, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted by learned Senior Counsel, appearing on behalf of the petitioners that petitioners have, now, decided to

appear in the learned court below in the case aforementioned.

In view of the above, learned Senior 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In view of above and in the interest of justice, the application is hereby disposed of as withdrawn with liberty aforementioned.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 petitioners, on their appearance in the learned Court below, in connection with the case aforementioned, apply for bail, as has been sought for on their behalf, learned Sessions Judge shall dispose of the same at the earliest by looking into the prayer for bail on the basis of the materials available and not merely on the basis of the submissions, which may be made by the learned Prosecutor.

(I. A. Ansari, J)

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