

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41996 of 2015

Arising Out of PS.Case No. -2127 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Ramakant Tiwary Son of Late Amar Nath Tiwary Resident of Village - Chaubey tola Mahmada, P.S.- Mehsi, District - East Champaran
 2. Bhagya Narayan Bhagat Son of Late Mhadeo Bhagat Resident of Village - Konihya, P.O.- Basgat Gawandra, P.s.- Chakia, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Benga Rai Son of Late Lohri Ram Resident of Village - Rajpur Bara, P.S.- Mehsi, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma

For the Opposite Party/s : Mr. M.K.Khare(App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 14-10-2015 Heard Mr. Uma Shankar Sharma, learned Counsel,

appearing on behalf of the petitioners, and Mr. M.K. Khare,

learned Additional Public Prosecutor, appearing on behalf of the

State.

This is an application, made under Section 438 of the

Code of Criminal Procedure, seeking pre-arrest bail by the

petitioners, namely, Ramakant Tiwary and Bhagya Narayan

Bhagat, in connection with Complaint Case No. 2127 of 2012,

giving rise to Trial No.1205 of 2015/6588 of 2014, under

Sections 420/468/120-B of the Indian Penal Code.

By order, dated 16.04.2015, passed in Cr. Misc.

No.38616 of 2014, petitioners' earlier application for pre-arrest bail has already been rejected.

It is claimed on behalf the petitioners that a compromise has been reached between the parties concerned.

In view of the above, learned counsel for the petitioners seeks permission to withdraw this application with liberty to approach the learned Court below and seek regular bail.

To the submissions so made, no objection has been raised on behalf of the opposite parties.

In view of the above and in the interest of justice, this application is hereby disposed of as withdrawn with liberty to the petitioners to appear in the Court of Mr. P.K. Singh, learned Judicial Magistrate, 1st Class, Sadar, Motihari, East Champaran, and, if on their appearance in the Court below they apply for regular bail, learned Court below shall assess the veracity of the compromise and, if it is satisfied, the prayer of the petitioners shall be considered in accordance with law.

Mkr./-

(I.A. Ansari, ACJ.)

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