

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30614 of 2016

Arising Out of PS.Case No. -122 Year- 2014 Thana -DARPA District- EAST CHAMPARAN
(MOTIHARI)

- =====
1. Sahdeo Sah, Son of Late Laxmi Sah.
 2. Saraswati Devi wife of Sahdeo Sah.
Both residents of Village- Siswaniya, P.S.- Darpa, District- East Champaran,
Presently residing at Village- Satpipra, P.S.-Ramgarhwa, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate
For the State : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-10-2016

Heard learned counsel for the parties.

The petitioners apprehend arrest in connection with
Darpa P.S. Case No. 122 of 2014 dated 21.12.2014 instituted under
Sections 304B/34 of the Indian Penal Code to which later on Section
302 was added.

Learned counsel for the petitioners submits that the
application with regard to petitioner no. 1 has become infructuous
since he was arrested by the police and also granted bail by the Court
below. After some arguments, he seeks permission to withdraw the
application with regard to petitioner no. 2, with liberty to surrender
before the Court below in view of the fact that the petitioner no. 1,

being the husband of petitioner no. 2, has been granted regular bail by the Court below itself.

Learned A.P.P. does not oppose.

Accordingly, the application with regard to petitioner no. 2 stands disposed off as withdrawn with the liberty aforesaid.

In the event the petitioner no. 2 surrenders before the Court below within one month from today and seeks regular bail, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order, preferably on the same day.

(Ahsanuddin Amanullah, J.)

P. Kumar

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