

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72842 of 2018

Arising Out of PS. Case No.-61 Year-2011 Thana- VIDYAPATINAGAR District- Samastipur

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1. Upendra Choudhary, S/o Late Jappan Choudhary.
 2. Mantu Choudhary @ Mantun Choudhary, S/o Upendra Choudhary.
 3. Naresh Choudhay, S/o Upendra Choudhary.
 4. Bindu Devi, W/o Upendra Choudhary.
 5. Kavita Devi, W/o Mantu Choudhary @ Mantun Choudhary.

All residents of Village - Lodipur Choudhary Patti Mohanpur, P.S.-
Patori, District- Samastipur.

6. Shashinath Rai, S/o Late Yogendra Rai
7. Renu Devi, W/o Shashinath Rai.

Both residents of Village- Simra, P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 21-12-2018 The petitioners seek bail in anticipation of their

arrest in connection with Vidyapatinagar P.S. Case No. 61 of

2011, dated 11.06.2011, instituted for the offences under

Sections 304(B) and 201/34 of the Indian Penal Code.



After some arguments, Mr. Sunil Kumar Thakur, learned counsel for the petitioners seeks permission to withdraw this application in order to enable the petitioners to surrender before the Court below and seek regular bail.

The petition is, accordingly, dismissed as withdrawn.

In case, such an application be filed before the Court below within a period of four weeks from today, the Court below shall take into account the status of the petitioners and the fact that initially after the investigation they were not sent up for trial, but the learned Magistrate after differing with the police report has taken cognizance against them, and, thereafter, shall pass orders in accordance with the law without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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