

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72434 of 2018

Arising Out of PS. Case No.-277 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. Birendra Yadav, Son of Late Sahdeo Yadav.
2. Anjay Kumar @ Ajay Kumar, Son of Birendra Yadav. Both are Resident of Village-Kachnawan, Police Station-Makhdumpur in the District of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2018 Mr. Sunil Kumar, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1 as he has been arrested.

The anticipatory bail application with respect to petitioner no. 1 is dismissed as withdrawn as having become infructuous with his arrest.

Mr. Sunil Kumar, learned counsel for the petitioner, after some arguments in favour of petitioner no. 2, seeks permission to withdraw the application of petitioner no. 2 in order to enable him to surrender before the court below and seek regular bail.

Should such an application be filed within a period of four weeks from today, the court below shall take into account that though the petitioner no. 2 is



shown as Manager of the concerned PACS, but in fact he is the son of the Chairman of the PACS and that several correspondences have been made with the concerned authorities for lifting the paddy in the event of the millers not accepting the paddy for providing CMR, and shall pass order in accordance with law without being prejudiced by the fact that present anticipatory bail petition has not been entertained.

The anticipatory bail petition with respect to petitioner no. 2 is dismissed as withdrawn with the aforesaid observation.

(Ashutosh Kumar, J)

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