

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23528 of 2019

Arising Out of PS. Case No.-153 Year-2017 Thana- CHAPRA TOWN District- Saran

1. Anil Mahto Son of Ram Ekbal Mahto Resident of Village- Chhota Telpa, P.S.- Chapra Town, District- Saran.
2. Dhiraj Mahto Son of Hare Ram Mahto Resident of Village- Chhota Telpa, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 29-07-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Chapra Town (Nagar) PS Case No. 153 of 2017 dated 12.04.2017 instituted under Sections 341/323/325/354/34 of the Indian Penal Code.

3. After some arguments, learned counsel for the petitioners submitted that he may be permitted to withdraw the application with liberty to surrender before the Court below and seek bail on the basis of judgments of this Court in **Gauri Shankar Roy vs. State of Bihar** reported as **2015(3) PLJR 618** and in **Mahednra Prasad Singh v. State of Bihar** reported



as **2004 (3) PLJR 491.**

4. In view thereof, as prayed for by learned counsel for the petitioners, the application stands disposed off as withdrawn with liberty aforesaid.

5. In the event the petitioners surrender and pray for bail before the Court below within six weeks from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

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