

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79911 of 2018

Arising Out of PS. Case No.-83 Year-2005 Thana- HALSI District- Lakhisarai

Ujjawal Prasad Singh @ Ujjawal Singh Son of Late Bachchu Singh Resident
of Village - Dariyapur, P.S.- Mufassil, District - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Halsi P.S. Case No. 83 of 2005 dated 13.11.2005 instituted for the offences under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner had earlier approached this Court for grant of anticipatory bail way back in the year 2006 but in his wisdom, withdrew such application.

Today, the learned counsel for the petitioner has informed this Court that at that time, the investigating agency had made him understand that he would not be sent up for trial. However such explanation does not find mention in the order permitting the petitioner to withdraw his anticipatory bail petition.

Learned counsel for the petitioner has also shown



a document from his file indicating that on the relevant date, he was employed with Bihar State Transport Corporation and was under duty.

However these facts have not been verified during the investigation. The other ground urged on behalf of the petitioner for consideration of his case afresh for grant of anticipatory bail is that he is 77 years of age on date.

All these grounds do not impress this Court for taking any other view than what was taken earlier by a Bench of this Court in the year 2006.

The petitioner therefore, after some arguments sought permission to withdraw this petition in order to surrender before the court below and seek bail.

Permission accorded.

If the petitioner surrenders before the court below and prays for bail, the court below shall look into all the facts stated above and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition has not been entertained.

The anticipatory bail petition is dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

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