

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17597 of 2020

Arising Out of PS. Case No.-138 Year-2014 Thana- MADANPUR District- Aurangabad

1. Laddu @ Chandrasen Singh, S/o Late Satyendra Singh, R/o Village - Sondih, P.S. - Madanpur, District - Aurangabad.
2. Sujeet Singh, S/O Ram Chandra Singh, R/o- Village - Sondih, P.S. - Madanpur, District - Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 05-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

At the outset, petitioners' counsel submits that Petitioner No.1 Laddu @ Chandrasen Singh has been arrested during the pendency of this application and in the



circumstances, he prays for withdrawal of this application as against petitioner no.1.

The prayer for withdrawal is allowed.

The application as against Petitioner No.1 Laddu @ Chandrasen Singh is permitted to be withdrawn.

Petitioner No.2 Sujeet Singh is apprehending his arrest in connection with Madanpur P.S. Case No.138 of 2014 registered for the offence punishable under Sections 147, 148, 149, 353, 435, 427 of the Indian Penal Code, Section 3/4 of the Explosive Substances Act and Section 17 of the C.L.A. Act., which is pending in the court of learned C.J.M., Aurangabad.

Mr. Alok Kumar Alok, learned counsel for the petitioner, after some arguments, being faced with the submission that the process of proclamation has been issued under Section 82 of the Cr.P.C., submits that the petitioner no.2 may be permitted to avail his remedy for grant of regular bail by surrendering in the court below.

Having considered the said submissions and the submissions advanced by the learned APP for the State, this Court is allowing petitioner no.2, Sujeet Singh, the liberty to withdraw the instant anticipatory bail application to avail his remedy for regular bail.



This Court would only observe that withdrawal of the instant application may not be taken against the petitioner no.2 while considering the prayer for grant of regular bail.

It is needless to say that the court below will be at liberty to exercise its jurisdiction, in accordance with law.

The application is disposed of accordingly.

(Madhuresh Prasad, J)

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