

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25338 of 2020

Arising Out of PS Case No.-47 Year-2003 Thana- GURARU District- Gaya

Ashutosh Pathak, aged about 51 years (M), Son of Sri Sidheshwar Pathak, Resident of Village-Babhandih, P.S.-Imamganj, District-Gaya at present Mohalla-Bakshu Bigha, P.S.-Vishnupad, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the State : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

3 13-11-2020 The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Mr. Sharda Nand Mishra, learned counsel for the petitioner and Ms. Shaheen Begum, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State, have assisted the Court.

3. The petitioner apprehends arrest in connection with Guraru PS Case No. 47 of 2003 dated 05.11.2003, instituted under Sections 409, 419 and 420 of the Indian Penal Code.

4. After some arguments, learned counsel for the petitioner submitted that he is not pressing the present application as he proposes to appear before the Court below and



pray for bail. It was further submitted that this Court may give him such liberty and the Court below be also directed to consider the prayer without being prejudiced by the present application being withdrawn.

5. Having regard to the aforesaid, as prayed for by learned counsel for the petitioner, the application stands disposed off with liberty aforesaid.

6. If the petitioner appears before the Court below and prays for bail, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order, preferably on the same day.

(Ahsanuddin Amanullah, J.)

Anand Kr./P. Kumar

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