

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1262 of 2021

Arising Out of PS. Case No.-212 Year-2019 Thana- MIRGANJ District- Gopalganj

1. RAMESH SAH Son of Ramjeet Sah Resident of village Pipara Khas P.S. Mirganj District - Gopalganj.
2. Mansi Sah Son of Late Radhai Sah Resident of village Pipara Khas P.S. Mirganj District - Gopalganj.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sandeep Kumar, Sr. Advocate Mr. Mukesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 12-08-2021 Heard Mr. Sandeep Kumar, learned Senior Advocate for the appellants and Mr. Sadanand Paswan, learned Spl. PP for the State.

The appellants have challenged the order dated 28.11.2020, passed by the learned Additional District and Sessions Judge 1st /Special Judge, SC/ST Act, Gopalganj, in A.B.P. No. 480 of 2020, arising out of Mirganj P.S. Case No. 212 of 2019, dated 30.08.2019, whereby the prayer made on behalf of the appellants for grant of anticipatory bail for the offences punishable under Sections 302/201 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989, has been



rejected.

This Court by order dated 02.07.2021 had called for the case diary. The case diary has since been received.

After some arguments, Mr. Sandeep Kumar, learned Senior Advocate for the appellants seeks permission to withdraw the application in order to enable the appellants to surrender before the court below and seek bail. As and when such an application shall be filed, the court below shall take into account that the deceased is non-else but the daughter of appellant no. 2 and the subject FIR has been registered by the appellant no. 2 himself. And that it was only, later, that the gauge of investigation turned against the appellants and an order shall be passed without being prejudiced by the fact that the present appeal on behalf of the appellants has not been entertained.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

