

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11690 of 2021**

Arising Out of PS. Case No.-132 Year-2018 Thana- KATORIYA District- Banka

SUCHIT YADAV @ SUJIT YADAV S/O LATE KISHAN YADAV R/O
VILLAGE-DHOBANI, P.S-KATORIA, DISTRICT-BANKA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. ARJUN YADAV S/O LATE AHLAD YADAV R/O VILLAGE-DHOBANI,
P.S-KATORIA, DISTRICT-BANKA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-11-2021 Heard Mr. Dharmendra Kumar Paswan, learned

Advocate for the petitioner and Mr. Rajesh Kumar,

learned APP for the State.

The prayer for anticipatory bail of the petitioner

was earlier rejected *vide* order dated 21.01.2019 passed

in Cr. Misc. No. 2684 of 2019 with the observation that

in case he would surrender before the court below, his

application shall be considered on its own merits without

being prejudiced by the fact that the present application

on his behalf was not entertained.

The petitioner has again moved for bail.



After some arguments, the learned counsel for the petitioner seeks permission to withdraw the application in order to enable him to surrender before the court below and seek bail. Should the petitioner surrender before the court below, his application shall be considered on its own merits taking into account all the facts which have been brought in the present bail petition and an order shall be passed without being prejudiced by the fact that his prayer for anticipatory bail has not been entertained twice.

The petition stands disposed off.

(Ashutosh Kumar, J)

krishna/-

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

