

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22974 of 2021

Arising Out of PS. Case No.-401 Year-2018 Thana- LALGANJ District- Vaishali

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PANKAJ KUMAR S/O SURENDRA PRASAD R/O VILLAGE-AGARPUR
(GANDHI CHOWK), LALGANJ, P.S-LALGANJ, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh Mr. Nikesh Kumar Mr. Pravin Kumar
For the Opposite Party/s	:	Mr. Md. Shakir Ahmad
For the informant	:	Mr. Rajeev Ranjan Ms. Bela Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 27-10-2021 Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner seeks anticipatory bail in connection with Lalganj Police Station Case No. 401 of 2018, registered for the offences punishable under Sections 323/342/324/307/313/376 of the Indian Penal Code.

This is the second attempt on behalf of the petitioner for grant of anticipatory bail. Earlier, the prayer for anticipatory bail of the petitioner was dismissed for withdrawn, vide order, dated 30.08.2019, passed in Criminal Misc. No. 36286 of 2019.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence as alleged in the First Information Report and there was consensual relationship between the petitioner and the victim.

Since, earlier the anticipatory bail application was dismissed as withdrawn, I am not inclined to entertain this second application for grant of anticipatory bail on the same set of facts.

At this stage, learned Counsel for the petitioner seeks permission to withdraw this application with liberty to surrender before the learned Court below and file a regular bail application.

Permission is granted.

This application is dismissed as withdrawn.

However, it is made clear that if regular bail application is filed by the petitioner before the learned Court below within a period of four weeks from today, the learned Court below shall consider the same on its own merits without being prejudiced by the dismissal of the anticipatory bail applications of the petitioner.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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