

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2398 of 2021**

Arising Out of PS. Case No.-91 Year-2019 Thana- MAHILA P.S. District- Samastipur

SHIV KUMAR THAKUR @ SHIVA THAKUR Son of Ram Briksh Thakur
@ Ram Vriksh Thakur Resident of Village - Malhipur, P.S. - Hasanpur,
District - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjit Kumar Yadav
For the Respondent/s : Mr. Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

5 29-09-2021 Heard the learned counsel for the appellant and

the learned Special Public Prosecutor for the State.

The appellant has challenged the order dated
22.09.2020 passed by the learned Additional Sessions Judge
-VI-cum-Special Court (POCSO), Samastipur in A.B.P. No.
559 of 2020 arising out of Mahila P.S. Case No. 91/2019,
whereby the prayer made on behalf of the appellant for
grant of anticipatory bail for the offences under Sections
376(AB), 341, 323, 504/34 of the Indian Penal Code,
Section 8 of the POCSO Act and Section 3(1)(r)(s)(wi),
3(2)(va) of the SC/ST (POA) Act has been rejected.

After some arguments, Mr. Ranjit Kumar Yadav,



learned counsel for the appellant seeks permission to withdraw this petition to enable the appellant to surrender before the court below and seek bail.

The appeal is dismissed as withdrawn.

Should the appellant surrender before the court below and seek bail, his application shall be considered on its own merits without being prejudiced by the fact that the present appeal on his behalf has not been entertained.

(Ashutosh Kumar, J)

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