

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30945 of 2020

Arising Out of PS. Case No.-51 Year-2019 Thana- GHOGHARDIHA District- Madhubani

Kumod Kumar Pandey @ Kumud Kumar Pandey Son of Ram Anik Pandey
Resident of Village - Bhore, P.S. - Pandaul, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Manager S.F.C., Madhubani. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-01-2021 Heard Mr. Yogesh Chandra Verma, learned Senior Advocate for the petitioner and Mr. Md. Aslam Ansari, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Ghoghardiha P.S. Case No. 51 of 2019 dated 09.05.2019 instituted for the offences under Sections 409 and 34 of the Indian Penal Code and under Section 7 of the E.C. Act.

The prayer for anticipatory bail of the petitioner has earlier been rejected *vide* order dated 10.12.2019 passed in Cr. Misc. No. 62840 of 2019.

Though learned counsel for the petitioner tried to impress upon this Court that there has been a discovery of a new fact which ought to be taken into account but considering the fact that the prayer for



anticipatory bail of the petitioner was earlier rejected, I am not inclined to entertain the present petition.

On this observation of the Court, Mr. Verma, learned Senior Advocate for the petitioner seeks permission to withdraw this petition with a liberty to approach the trial court for taking bail.

The prayer is allowed.

This petition is permitted to be withdrawn with the liberty to the petitioner to move for bail before the court below.

As and when such a petition shall be filed, the court below shall look into the merits of the case and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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