

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5246 of 2022

Arising Out of PS. Case No.-550 Year-2018 Thana- KANTI District- Muzaffarpur

ABHINANDAN KUMAR S/O LATE JAGARNATH SAH R/o village- Sain
Chhapra Devanand, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 307/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Learned A.P.P. for the State at the outset submits that
from bare perusal of the order impugned, it would manifest that
the learned ADJ-1, Muzaffarpur has recorded that this
anticipatory bail application was filed on 15.06.2020 but the
petitioner never cared to appear before the learned court for
pressing the anticipatory bail application but still the learned
court by way of last indulgence on 18.09.2021 gave chance to
the petitioner to press his anticipatory bail application but



thereafter even on the next day no one appears, as such, the learned court had no option but to dismiss the case in default. Learned A.P.P., as such, submits that there was no adjudication by the learned Additional Sessions Judge-I, Muzaffarpur on the anticipatory bail application of the petitioner.

After hearing the submission of the learned A.P.P., the learned counsel for the petitioner realizing her difficulty seeks permission to withdraw the anticipatory bail application.

Permission is accorded with liberty to the petitioner to move afresh before the learned District Judge, Muzaffarpur for seeking anticipatory bail.

Accordingly, this application for grant of anticipatory bail on behalf of the petitioner is dismissed as withdrawn in connection with Kanti P.S. Case No. 550 of 2018 pending in the Court of learned Sub-Divisional Judicial Magistrate, West Muzaffarpur/successor Court.

(Satyavrat Verma, J)

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