

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36828 of 2021

Arising Out of PS. Case No.-109 Year-2019 Thana- POTHIIYA District- Kishanganj

NOOR ISLAM S/o Isrile @ Md. Isrile @ Lal Bano R/o- Kharabari Udgara,
Ward No.- 9, P.S.- Pothiya, District- Kishanganj

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Singh, Advocate
For the State	:	Mr. Md. Sufyan, APP
For the Informant	:	Mr. Md. Najmul Hodda, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks anticipatory bail in connection with Pothiya P.S. Case No. 109 of 2019 registered for the offences under Sections 341, 323, 302, 307/34 of the Indian Penal Code.

Learned counsel for the petitioner prays for withdrawal of this bail application with a liberty to move before the learned Court below for regular bail.

Accordingly, this bail application is dismissed as withdrawn. However, if the petitioner surrenders in the Court below and seeks regular bail, the Court below shall consider and decide the same on its own merit without being prejudiced by this order. The Court below will also consider the fact that the



petitioner has not repeated the blow and on the spur of the
moment the deceased was assaulted.

(Sandeep Kumar, J)

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