

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54244 of 2021

Arising Out of PS. Case No.-289 Year-2020 Thana- AAJAM NAGAR District- Katihar

MD. GULAM SARWAR, Son of Md Shamim Akhtar, Resident of Village -
Teghra, P.S.- Azamnagar, District - Katihar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Ranjan, Advocate

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-02-2022 Heard learned counsel for the parties through video conferencing.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Azamnagar P.S. Case No. 289 of 2020 for the offence punishable under Sections 302 and 201 of the Indian Penal Code.

At the very outset, learned counsel for the petitioner prays for withdrawal of this bail application with a liberty to move the Court below for regular bail as the only evidence against the petitioner is the confessional statement of co-accused-Ahmad Raza and he has been granted regular bail.

If the petitioner surrender in the Court below and



seeks regular bail, the Court below shall consider and decide the same on its own merit on the same day without being prejudiced by the fact that the petitioner had moved before this Court for anticipatory bail as the same has not been pressed by learned counsel for the petitioner. While deciding the regular bail of the petitioner, the Court below shall consider the fact that co-accused Ahmad Raza has been granted regular bail.

With the aforesaid observations and directions, this bail application is disposed of as withdrawn.

(Sandeep Kumar, J)

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