

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69792 of 2021

Arising Out of PS. Case No.-201 Year-2021 Thana- BAJPATTI District- Sitamarhi

1. MD. SABBIR SON OF MD. KALIM Resident of Village - Madhuban Got, Ward No.5, P.S.- Bajpatti, Distt.- Sitamarhi.
2. MD. ALI SON OF MD. SABBIR Resident of Village - Madhuban Got, Ward No.5, P.S.- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-06-2022 After some argument, the learned senior counsel for the petitioners seeks to withdraw the present petition with liberty to the petitioners to surrender before the learned court below in connection with Bajpatti P.S. Case No. 201 of 2021 registered under Sections 341, 323, 354(B), 379, 420 and 520/34 of the Indian Penal Code and avail the privilege of regular bail.

At this juncture, the learned senior counsel has referred to paragraph no. 23 of the present petition to submit that similarly situated co-accused person namely Md. Mashia has already been granted bail by the learned court below, hence the learned court below be directed to consider the said factum at the time



of hearing of the regular bail petition of the petitioners herein.
It is also submitted that advance age of the petitioner no. 1 be
also taken into consideration by the learned court below while
considering his prayer for grant of regular bail.

Accordingly, the present petition stands dismissed as
not pressed, however, with an observation that the aforesaid
facts may be considered by the learned court below at the time
of consideration of the regular bail petition of the petitioners
herein. However, it is made clear that this Court has not
expressed any opinion on the merits of the present case.

(Mohit Kumar Shah, J)

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