

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6016 of 2023

Arising Out of PS. Case No.-204 Year-2010 Thana- BIHTA District- Patna

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AMIT KUMAR Son of Gautam Rai R/v- Dumari, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Bihta P.S. Case No.204 of 2010, registered for the offences punishable under Sections 341, 323, 324, 326, 302 and 34 of the Indian Penal Code.

After some arguments, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same



day without being prejudiced by this order considering the facts that petitioner was granted anticipatory bail in connection with Bihta P.S. Case No.204 of 2010 by a co-ordinate Bench of this Court vide order dated 02.03.2012, passed in Cr. Misc. No.20388 of 2011. Thereafter the police submitted final form against the petitioner in Bihta P.S. Case No.204 of 2010. The petitioner did not surrender before the learned court below and the learned court below after differing with the final form took cognizance against the petitioner. The petitioner had no knowledge that the learned court below has taken cognizance against him. In paragraph-4 of the order impugned, the learned court below has mentioned that the LCR was called for from the learned court below, but the same has not been sent to the court of learned Additional Sessions Judge-VI, Danapur, Patna and on this ground the prayer for grant of anticipatory bail to the petitioner was rejected by the learned court below.

(Anjani Kumar Sharan, J)

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