

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2155 of 2023**

Arising Out of PS. Case No.-24 Year-2022 Thana- RANIGANJ District- Araria

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1. OM PRAKASH MEHTA @ GURU MEHTA @ RAM PRAKASH MEHTA  
Son of Bikram Mehta @ Bikram Mehata Resident of village - Gopalpur  
Kolony Tola, Ward no. 15, P.S. - Raniganj, Distt. - Araria
  2. Akhilesh Yadav Son of Late Kalanand Yadav Resident of village - Gopalpur  
Kolony Tola, Ward no. 12, P.S. - Raniganj, Distt. - Araria
  3. Sarvan Ram Son of Late Suresh Ram Resident of village - Gopalpur Kolony  
Tola, Ward no. 12, P.S. - Raniganj, Distt. - Araria
  4. Sadanand Ram Son of Late Upendra Ram Resident of village - Gopalpur  
Kolony Tola, Ward no. 12, P.S. - Raniganj, Distt. - Araria
  5. Khikhri Devi @ Sakhiya Devi Wife of Late Upendra Ram Resident of  
village - Gopalpur, Ward no. 12, P.S. - Raniganj, Distt. - Araria

... .. Appellant/s

Versus

1. The State of Bihar
2. Lakhan Rishideo Son of Late Nebu Rishideo Resident of village - Gopalpur,  
ward no. 12, P.S. - Raniganj, Distt. - Araria

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Gopal Kumar Jha, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      17-07-2023                      1. Heard learned counsel for the appellants and  
learned Special P.P. for the State.

2. Learned counsel for the appellants submits that  
appellant nos. 2, 3, 4 and 5 are persons with clean antecedent  
and appellant no. 1 has antecedent of one case, it is next  
submitted that police after investigation submitted final form  
exonerating the appellants of the charges, but the learned Trial  
Court differing with the police report took cognizance.



3. Learned counsel for the appellants fairly submits that since cognizance has been taken, as such the anticipatory bail is not maintainable and thus seeks permission to withdraw the appeal.

4. Permission is accorded.

5. However, in the event if the appellants surrender on or before 18.08.2023, the learned Trial court shall dispose of the case on the same day keeping in mind that one Investigating Agency i.e. the police, after threadbare investigation, came to a considered conclusion that appellants are innocent and the learned Trial Court based on the same investigation has taken cognizance.

**(Satyavrat Verma, J)**

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