

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55499 of 2023

Arising Out of PS. Case No.-94 Year-2018 Thana- PHULWARIA District- Begusarai

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Md. Mokhtar @ Md. Moktar @ Mokhtar Aali, Son of Ali Hasan, Resident of
Village- Baro, Kadir Chak, P.S.- Phulwaria, Distt. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ebadur Rahman Shakeb, Adv.
For the State : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-11-2023 The learned counsel for the parties are present.

2. After some arguments, Mr. Ebadur Rahman Shakeb, the learned Advocate for the petitioner seeks permission to withdraw this application with a liberty to the petitioner to surrender before the Court below and seek bail.

3. In case the petitioner surrenders before the Court below and seeks bail, the case shall be decided on



its own merits without being prejudiced by the fact that the petitioner earlier was granted anticipatory bail, which bail order he could not take advantage of even after an extension of time was given to him by this Court to surrender before the Court below. It may be noted here that when a second extension petition was filed, the same was rejected by this Court but giving liberty to him to surrender before the Court below.

4. Instead of surrendering before the Court below and seeking bail, the petitioner again moved the Court below for grant of anticipatory bail, which has been rejected.

5. The petition is dismissed as withdrawn with the liberty granted to the petitioner to surrender and pray for regular bail.

(Ashutosh Kumar, J)

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