

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64210 of 2023

Arising Out of PS. Case No.-164 Year-2015 Thana- SUGAULI District- East Champaran

1. SAHEB SAH @ SAHEB GIRI S/O NAGINA SAH R/O VILLAGE-CHHAPARA BAHAS, P.S- SUGAULI, DISTT.- EAST CHAMPARAN.
2. MIRA DEVI W/O NAGINA SAH R/O VILLAGE- CHHAPARA BAHAS, P.S- SUGAULI, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-10-2023 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sugauli PS case no. 164 of 2015, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The petitioners have filed the present anticipatory bail application, challenging the order dated 04.08.2023, by which the bail application of the petitioners has been rejected. Earlier the anticipatory bail application of the petitioners was allowed by the learned Sessions Judge vide order dated 25.06.2015, passed in A.B.P. no. 1091 of 2015, however, the



anticipatory bail granted to the petitioners was cancelled on the ground that the petitioners and other misled the Court and obtained the bail order by filing forged injury report. It is also not disputed that the petitioners had challenged the order cancelling their bail, before this Court in Cr. Misc. no. 7087 of 2016, which was dismissed by a co-ordinate Bench of this Court vide order dated 22.05.2017, granting liberty to the petitioners to surrender and obtain regular bail from the learned court below.

4. After some arguments, learned counsel for the petitioners, upon objection being raised by the learned counsel for the informant, seeks permission to withdraw this application with liberty to the petitioners to surrender and seek regular bail from the learned court below. Liberty so sought, is granted.

5. The present petition stands dismissed as withdrawn, however with the aforesaid liberty.

(Anil Kumar Sinha, J)

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