

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7672 of 2023

Arising Out of PS. Case No.-331 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

=====

PATANJALI PATHAK Son of Late Ganga Datt Pathak Resident of Kisan Pasu Ahar Agency Pali Road Near Rimjhim Hotel, Dehri-On-Sone, P.S.- Dehri-on-Sone, District- Rohtas at Present Kisan Pasu Ahar Agency Sales Promotor Kapila Pasu Ahar (Kanpur), Pali Road, Dehri-On-Sone, P.S.- Dehri-On-Sone, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Kumar Singh Son of Arjun Singh Resident of Jagriti Niwash near Mission School, Police Station- Aurangabad (Town), District- Aurangabad

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned A.P.P. at the outset raises a preliminary objection and submits that from the pleadings made at para 14 of this application, it would manifest that opposite party no. 2 in terms of the order dated 21.09.2022 in Cr. Misc. No. 57323 of 2021 did not appear before the learned trial court for seeking provisional bail within the time fixed by the aforesaid order i.e. 21.09.2022. It is next submitted that since opposite party no. 2 did not appear before the learned trial court for seeking provisional bail within the time fixed, as such, now he loses his right to seek the same. It is, thus, submitted that in that view of



the matter, the present application is misconceived.

Learned counsel for the petitioner, at this stage, seeks permission to withdraw the present application.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

