

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3981 of 2023**

Arising Out of PS. Case No.-73 Year-2018 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

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Shambhu Mahto S/O Late Kalicharan Mahto R/O Village- Ranipur, P.S.-  
Chanpatia (Kumarbag O.P.), Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar  
For the Opposite Party/s : Mr. Abhay Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      04-05-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioner apprehends his arrest in Complaint  
Case No. 73-C of 2018 registered for the offences punishable  
under Sections 498A and 494 of the Indian Penal Code pending  
in the Court of learned S.D.J.M., Bettiah, West Champaran.

After some arguments, learned counsel for the  
petitioners seeks permission to withdraw this application  
submitting that the complainant has died on 23.11.2022.

Permission is granted.

Accordingly, the instant application is dismissed as  
withdrawn, having become abated.

However, if the petitioner surrenders before the



learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order, considering the fact that the complainant has died on 23.11.2022.

**(Anjani Kumar Sharan, J)**

anand/-

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