

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48985 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- HATHIDAH District- Patna

Nisha Bharti D/O Lalan Prasad Resident of Vill- Shukiyawa Mushahri, P.S.-
Hulasganj, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Kumar Son of Laleshwar Prasad Resident of Rnkuri Par Ward No. 14, Dhobidiha, P.S.- Khodaganj, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Paswan
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that the present application has been filed seeking cancellation of the anticipatory bail granted to the O.P. No. 2 by an order dated 15.05.2024 in ABP No. 1592 of 2024 passed by the learned Additional Sessions Judge-1, Patna in connection with Hathidah P.S. Case No. 15 of 2024 instituted under Section 376 of the IPC.

3. The learned APP for the State, Mr. Chandra Bhushan Prasad, submits that the petitioner ought to have moved before the same learned Court which had granted



anticipatory bail to the O.P. no. 2. It is further submitted that the Court of learned Additional Sessions judge-1 Patna is not denuded of power not to entertain such an application if the petitioner is able to make out a case for cancellation.

4. At this stage, the learned counsel for the petitioner seeks permission to withdraw the instant cancellation application with liberty to move before the learned Additional Sessions Judge-1, Patna.

5. Permission is accorded.

6. Accordingly, the instant cancellation application is dismissed as withdrawn.

(Satyavrat Verma, J)

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