

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55967 of 2023**

Arising Out of PS. Case No.-1052 Year-2021 Thana- MUNGER COMPLAINT CASE  
District- Munger

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Saurabh Kumar, Son Of Umesh Chandra Thakur Resident Of Village- Nand  
Nagar Colony, Saidpur Nahar Road, Ps -BAHADURPUR District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rakhi Kumari, Daughter Of Shushil Kumar Resident Of Village- Mohanpur,  
Ps- Jamalpur, Dist- Munger

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Anand

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      13-02-2024                      1. Heard learned counsel for the petitioner and  
  
learned APP for the State.

2.The learned Additional P. P., at the outset,  
  
draws the attention of the Court to Para-5 of the anticipatory  
  
bail application wherein it has been specifically pleaded that  
  
on the basis of above complaint was registered on  
  
13.12.2021 for offences under Sections 498A, 323 and 307  
  
of the I.P.C. and Sections 3 and 4 of the D. P. Act. The  
  
investigation is still pending in the court of the learned Chief  
  
Judicial Magistrate, Munger. The learned Additional P. P.  
  
thus submits that when cognizance was not taken, how the



petitioner moved this Court seeking anticipatory bail based on filing of the complaint. It is next submitted that it may be a possibility that learned Magistrate after going through the material on record, which may come in the inquiry, may not be persuaded to take cognizance of the offences.

3. The learned counsel for the petitioner is not in a position to rebut the submission of the learned Additional P. P. and thus, seeks permission to withdraw the anticipatory bail application with liberty to file anticipatory bail petition, in the event, if cognizance is taken.

4. Permission is accorded.

5. Accordingly, the anticipatory bail application is dismissed as withdrawn with the aforesaid observation.

**(Satyavrat Verma, J)**

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