

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68270 of 2024

In
CRIMINAL MISCELLANEOUS No.24291 of 2024

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA P.S. District- Araria

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Santosh Kumar Yadav @ Santosh Yadav Son of Balram Yadav R/o Village-
Kankhudia, Ward No. 04, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suniti Purnima, Wife of Santosh Kumar Yadav, D/O Raj Kumar Rahi
Advocate. R/o Village- Jay Prakash Nagar, Ward No. 07, P.S.- Araria,
District- Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kanchan Jha
For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that
petitioner had moved this Court seeking anticipatory bail by
filing Cr. Misc. No.24291 of 2024 and the same was disposed of
by an order dated 15.04.2024 in terms of the order dated
13.02.2024 in Cr. Misc. No.3536 of 2024 (Naushad Ansari vs.
the State of Bihar).

3. The learned counsel for the petitioner submits that
in absence of instructions, an important fact could not be
brought to the notice of the Court when Cr. Misc. No.24291 of



2024 was taken up on 15.04.2024 that already charge-sheet has been submitted against the petitioner. It is further submitted that had the said fact been brought to the notice of the Court, either the Court would have granted the privilege of anticipatory bail or would have rejected the application. It is also submitted that the dispute is completely matrimonial, as such, instant modification application has been filed for modifying the order dated 15.04.2024 in Cr. Misc. No.24291 of 2024.

4. The learned A.P.P. Sri Rabindra Kumar opposes the modification application and submits that there is no infirmity in the order dated 15.04.2024 and if correct facts was not brought to the notice of the Court, for that the petitioner can again move this Court seeking anticipatory bail, on which the learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present modification application with the liberty aforesaid.

5. Permission is accorded.

6. Accordingly, instant petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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