

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67744 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Ashok Das Son of Baijnath Ram R/O Argara Chok, P. S.- Katihar Nagar,
District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

For the Opposite Party/s : Mr. Md. Fahimuddin
Mr. Satish Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Learned APP, at the outset, submits that initially the FIR was instituted under various sections of the IPC, including Section 302 of the IPC. It is next submitted that during the course of investigation, the charge sheet was submitted under various provisions of the IPC, read with other Sections of the SC/ST Act. It is next submitted that from perusal of the order impugned, it would manifest that the same does not



record that charge sheet was submitted under provisions of the SC/ST Act. It is also submitted that the charge sheet was not submitted under the SC/ST Act then on what basis the learned Court of ADJ-1-cum-Special Judge SC/ST, Katihar entertained the regular bail application.

4. At this stage, the learned counsel appearing on behalf of the petitioner submits that it appears that the said fact escaped the attention of the learned counsel appearing on behalf of the petitioner before the learned trial court and also escaped the attention of the learned Court of ADJ-1-cum-special judge SC/ST, Katihar, thus seeks permission to withdraw the regular bail application with liberty to move before the court of competent jurisdiction in accordance with law before the learned District Court.

5. Permission is accorded.

6. Accordingly, the regular bail application is dismissed as withdrawn.

(Satyavrat Verma, J)

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