

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.642 of 2024

Arising Out of PS. Case No.-4 Year-2022 Thana- COMPLAINT CASE District- Supaul

1. Shantanu Batabyal @ Shantanu Bataite Biyal son of Late Nirmlendu Batabyal RESIDENT OF VILLAGE - GANGAJALA KUAR TOLA, WARD NO. 18, PS- SAHARSA, DISTT- SAHARSA
2. Sushant Batabyal @ Sushant Bataite Biyal Son of Late Nirmlendu Batabyal RESIDENT OF VILLAGE - GANGAJALA KUAR TOLA, WARD NO. 18, PS- SAHARSA, DISTT- SAHARSA

... .. Appellant/s

Versus

1. The State of Bihar
2. Kamlash Paswan Son of late Chalitar Paswan Village- chain sinh Patti, ps- Supaul, Dist- Supaul Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kumar Harshvardhan, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 12-08-2025 Heard Mr. Kumar Harshvardhan, learned counsel

for the appellants and Mrs. Usha Kumari 1, learned Spl.PP for
the State.

2. Learned Spl.P.P. for the State has taken a preliminary objection with regard to maintainability of the present appeal on the ground that the learned court had taken cognizance in the present case and in view of the provisions under Section 18 of the SC/ST Act, the present anticipatory bail is not maintainable.

3. Learned counsel for the appellants seeks



permission to withdraw this appeal with a liberty to the appellants to surrender before the learned Court below within a period of two weeks from today and seek regular bail.

4. Permission is accorded.

5. The appeal is dismissed as withdrawn with the liberty that the appellants surrender and seek regular bail before the learned Court below, the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Rajesh Kumar Verma, J)

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