

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47971 of 2025

Arising Out of PS. Case No.-179 Year-2013 Thana- DUMRA District- Sitamarhi

Mahendra Purvey S/O Late Saryug Purvey Village- Barharwa, P.S.- Dumra,
Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Deep, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 467, 468, 471, 474,
420/34 of the IPC.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the police after
a threadbare investigation came to a considered conclusion that
petitioner is innocent and thus submitted final form dated
19.11.2015 but the learned trial court differing with the police
report took cognizance, as such, petitioner apprehends his arrest.
Learned counsel for the petitioner next submits that when one
investigating Agency after threadbare investigation came to a
considered conclusion that petitioner is innocent, whether it



would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegations as alleged in the F.I.R. On query of the Court that after the order of cognizance whether any summons, bailable warrants or non-bailable warrants were served on the petitioner or not, on which, the learned counsel appearing on behalf of the petitioner submits that today only he took instruction on the issue and he has been informed that neither summons, nor bailable and non-bailable warrants were ever served on him, as such, the petitioner was not even aware that cognizance has been taken after the police submitted final form, exonerating him. It is further submitted that there was absolutely no occasion for the petitioner not to move before this Court in time had the petitioner been aware of the fact that cognizance has been taken in the case by the learned Magistrate. Learned counsel appearing on behalf of the petitioner submits that from perusal of the pleadings made in the anticipatory bail application, it manifests that the same required to be drafted in a proper manner but then the pleadings are not proper, as such, seeks permission to withdraw the anticipatory bail application with liberty to file afresh.



4. Permission is accorded.

5. Accordingly, the instant anticipatory bail application stands dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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