

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49504 of 2025

Arising Out of PS. Case No.-12 Year-2010 Thana- HILSA District- Nalanda

Sanjay Yadav Son of Amir Yadav R/O Village- Kistipur, P.S.- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2025 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 offence punishable under Sections 302, 201/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner was not named in the FIR and during the course of investigation his name transpired but then police after investigation submitted final form. It is submitted that the learned trial court differing with the police report, took cognizance in the year 2012 but then petitioner was never served with any summon as such he was not aware that cognizance has been taken. It is further submitted that thereafter process under Section 82 Cr.P.C. was also issued but then police



never came to the house of the petitioner as such the petitioner even after issuance of process under section 82 Cr.P.C. was not aware that cognizance has been taken against him. It is also submitted that once the police after investigation came to a considered conclusion that petitioner is innocent whether based on an order of cognizance taken based on the same charge sheet which exonerated the petitioner whether it would be prudent for the Court to send the petitioner to jail.

4. The learned APP opposes the anticipatory bail application of the petitioner and submits that cognizance was taken in the year 2012 and process under Section 82 Cr.P.C. has also been issued.

5. At this stage, the learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with liberty to move before the learned trial court to seek regular bail.

6. Permission is accorded.

(Satyavrat Verma, J)

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