

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61123 of 2024

Arising Out of PS. Case No.-38 Year-2020 Thana- BELAGANJ District- Gaya

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MUNI YADAV @ MUNNI YADAV SON OF KASHI YADAV RESIDENT
OF VILLAGE - BASANTPUR, P.S. - BELAGANJ, DISTRICT - GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. LALAN YADAV SON OF LATE BHAGIRATH YADAV RESIDENT OF
VILLAGE - BANSHIBIGHA, P.S. - GHOSHI, DISTRICT - JEHANABAD

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Kumar Singh, Advocate
For the Opposite Party/s	:	Md. Aslam Ansari, APP
For the Informant	:	Mr. Ajay Kr. Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 15-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. By order dated 05.05.2025, the Court had directed
the Investigating Officer of the present case to appear before
this Court along with case diary and post-mortem report.

3. Learned APP for State informs this Court that case
diary and post-mortem report had already been received on
02.05.2025 but it seems that the same was not placed on record
hence, order dated 05.05.2025 was passed.

4. In such view of the matter, personal appearance of
the Investigating Officer is dispensed with.



5. After some arguments, learned counsel for the petitioner prays for withdrawal of the anticipatory bail application.

6. Permission is granted.

7. This application is dismissed as withdrawn with liberty that if the petitioner surrenders and seeks regular bail before the learned Court below, the same shall be considered on its own merit without being prejudiced by the present order of withdrawal.

8. The learned Court below will also take into consideration that similarly situated co-accused Malti Devi has already been granted privilege of regular bail vide order dated 10.02.2021 passed in Cr. Misc. No. 39098 of 2020 and also would be taken into consideration the fact that the husband of the deceased who is primarily responsible for welfare of his wife has already died on 24.11.2020.

(Soni Shrivastava, J)

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