

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4509 of 2023

Arising Out of PS. Case No.-490 Year-2021 Thana- BUXAR District- Buxar

Vijay Yadav @ Vijay Prakash Singh @ Vijay Kumar @ Vijay Prakash Son of
Suresh Singh @ Suresh Yadav @ Shri Ram Suresh Singh @ Suresh Byash
Village- Lalganj Ps- Buxar Muffasil Dist- Buxar

... .. Appellant/s

Versus

1. The State of Bihar
2. Umesh Ram son of Bhuwali Ram Village- Gurdas Mathia Ps- Buxar
Muffasil Dist- Buxar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Satyapal Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.
For the Resp. No. 2	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-05-2025 Heard Mr. Satyapal Singh, learned counsel for the
appellant, Mr. Sunil Kumar, learned counsel appearing on behalf
of the Respondent No. 2 as well as Mr. Binay Krishan, learned
Spl.P.P. for the State.

2. Learned counsel for the appellant fairly submits
that initially the police has exonerated the appellant from the
charges and filed a final report in favour of the appellant but the
learned Court below differing with the final form of the
prosecution has taken cognizance vide order dated 16.08.2022.

3. Learned Spl.P.P. for the State as well as learned
counsel for the Respondent No. 2 submits that in view of the
aforesaid, this anticipatory bail appeal is not maintainable under



the SC/ST Act.

4. Learned counsel for the appellant submits that in view of the aforesaid, he seeks permission to withdraw the present appeal with liberty to the appellant to surrender before the learned Court below within a period of two weeks from today and seeks regular bail.

5. Permission is accorded.

6. The appeal is dismissed as withdrawn as not pressed with the liberty that the appellant surrenders and seeks regular bail before the learned Court below, the same shall be considered on the same day 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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