

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1496 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- MEHSI District- East Champaran

Najo Hussain S/O Late Abdul Karim R/O Village- Damodarpur ,P.S-
Mehsi,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mehsi P.S. Case No. 109 of 2024 registered for the offences punishable under Sections 196, 197(1), 197(2), 223 and 152 of the B.N.S.

3. The learned APP, at the outset, submits that from the perusal of the order impugned, it would manifest that the same has been disposed of in terms of order dated 19.08.2024 passed in Cr. Misc. No. 44659 of 2024 (*Asha Baitha Vs. The State of Bihar*) by this Court which was based on an order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024 in *Naushad Ansari Vs. The State of Bihar*.

4. The learned Counsel appearing on behalf of the

petitioner submits that perhaps the learned Sessions Judge inadvertently has passed the said order as the offence alleged in the instant FIR is also under Section 152 of the B.N.S. in which the maximum punishment prescribed is life imprisonment, on which the learned APP submits that the petitioner may be permitted to withdraw the anticipatory bail application so that the petitioner can move before the learned District Judge for getting the order impugned recalled and for deciding the case afresh.

5. At this stage, the learned Counsel for the petitioner seeks permission to withdraw the anticipatory bail application with the aforesaid liberty as submitted by the learned APP.

6. The permission is accorded.

(Satyavrat Verma, J.)

Jyoti Kumari/-

U		T	
---	--	---	--