

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29415 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- BARHARA District- Bhojpur

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1. Rajendra Sah @ Rajendra Prasad Son of Late Moti Sah Resident of village - Chhaprapar, P. O - Farna, P. S - Barhara, District - Bhojpur
 2. Birendra Kumar Gupta Son of Rajendra Sah @ Rajendra Prasad Resident of village - Chhaprapar, P. O - Farna, P. S - Barhara, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

4 16-07-2026

1. Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The Station House Officer and the Investigating Officers of the case, in compliance of the order dated 14.07.2026, are present in the Court.

3. The Investigating Officer of the case submitted that initially a charge-sheet was submitted against other accused persons and not against the instant petitioners on 29.10.2025 on which learned counsel appearing on behalf of the petitioners submits that based on the charge-sheet submitted against other accused, the learned trial court took cognizance against the instant petitioners even despite investigation against the



petitioners was continuing. It is further submitted that the police, after investigation, on 17.01.2026 submitted final form exonerating the petitioners of the allegation as alleged in the FIR but the said final form loses its relevance in view of the fact that cognizance already has been taken against the petitioners earlier, as such, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the instant anticipatory bail application for moving before an appropriate forum assailing the order of cognizance.

4. At this stage, learned A.P.P. submits that since the police has submitted final form, hence, petitioners also do not have any apprehension of arrest until and unless non-bailable warrant of arrest is issued in pursuance of the order taking cognizance.

5. At this stage, learned counsel appearing on behalf of the petitioners reiterates and submits that he may be permitted to withdraw the instant anticipatory bail application with liberty to the petitioners to renew their prayer for anticipatory bail afresh, if need arises.

6. Permission is accorded.

7. Accordingly, the instant anticipatory bail application is dismissed as withdrawn with aforesaid liberty.



8. The personal appearance of the Station House Officer and the Investigating Officers of the case is dispensed with.

(Satyavrat Verma, J)

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