

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40659 of 2026

Arising Out of PS. Case No.-1135 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Vishal Kumar @ Bhagdeo Ray S/o Late Ramanand Ray R/o Village -
Lakhanipur, Maudah, PS - Patepur, District - Vaishali and Village - Dighi
Kala, P.S - Sadar Thana, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the O.P. No. 2	:	Mr. Avanindra Kumar Jha, Advocate
		Mr. Bishwash Vijeta, Advocate
		Mr. Ram Naresh Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-07-2026 1. Heard learned counsel for the petitioner, the

learned APP for the State and the learned counsel appearing on

behalf of the O.P. No. 2.

2. Learned counsel appearing on behalf of the
petitioner submits that petitioner apprehends arrest since
cognizance was taken in the complaint and thereafter process
under Section 82 Cr.P.C. was also issued, but then petitioner
filed Criminal Revision No. 266 of 2026 assailing the order by
which process under Section 82 Cr.P.C. was issued.

3. It is submitted that the learned Additional Sessions
Judge-XI, Patna set aside the order by which process under
Section 82 Cr.P.C. was issued. It is next submitted that as of



date, the case again stands at the stage of summon, on which learned counsel appearing on behalf of the O.P. No. 2 submits that since it has been submitted that the case now stands at the stage of summon, as such, the petitioner, instead of moving this Court seeking anticipatory bail, ought to have moved before the learned Trial Court itself in terms of order dated 23.04.2026 in ***Special Leave to Appeal (Criminal) No. 16221 of 2025 (Om Prakash Chhawnika @ Om Prakash Vs. The State of Jharkhand).***

4. At this stage, the learned counsel appearing on behalf of the petitioner seeks permission to withdraw the anticipatory bail application with liberty to the petitioner to appear before the learned Trial Court in terms of the order of the Hon'ble Supreme Court recorded hereinabove.

5. Permission is accorded.

6. Accordingly, the instant anticipatory bail application stands dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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