

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**A.B.A. No. 300 of 2014**

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Tofai Mirdha .... Petitioner

-Versus-

The State of Jharkhand .... Opposite Party  
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**CORAM : HON'BLE MR. JUSTICE P.P. BHATT**

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For the Petitioner : Mr. Prabhas Chandra Jha, Advocate

For the State : Mr. Shekhar Sinha, A.P.P.  
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**03/ 30.04.2014** Learned A.P.P. appearing for the State has submitted that a report was called for from the District and Additional Sessions Judge-IX, Dhanbad, regarding the status of the case, which is pending against the present petitioner, and accordingly, the report has been received and as per the said report, the process under Section 82 of the Cr.P.C. was issued against the present petitioner on 21.08.2013 along with the Warrant of Arrest by the court.

Learned A.P.P. appearing for the State has further submitted that in view of the decision reported in 2014 (2) SCC 171, the present petition seeking anticipatory bail, is not maintainable and the present petitioner is not entitled to the relief of anticipatory bail.

Learned counsel for the petitioner seeks permission to withdraw this petition as the same is not maintainable in view of the decision of the Hon'ble Apex Court as referred by the learned A.P.P.

Permission, as sought for, is granted.

Accordingly, the present application stands disposed of as withdrawn.

The present petitioner shall surrender before the court concerned, and upon such surrendering and in the event of filing application for bail, the court below shall deal with and decide the said application in accordance with law.

**(P.P. Bhatt, J.)**