

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25178 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -KOILWAR District- BHOJPUR

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1. Manoj Sah @ Manoj Kumar Sah S/o Sri Bishwanath Sah Resident of Village Chhotaki Bishupur, Police Station Shahpur, in the District of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Zonal Director, Narcotic Control Bureau, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh (Sr. Adv.)
Mr. Abhishek Andan (Adv.)
For the State : Mr. Jharkhandi Upadhyay(App)
For O.P. No. 2 : Mr. Anshuman Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 08-09-2015 This application has come under the heading “To Be Mentioned”.

At the request of Mr. Akhileshwar Prasad Singh, learned senior counsel appearing for the petitioner has submitted that vide order dated 04.09.2015, permission was granted to convert the application under Sections 397 and 401 of the Code of Criminal Procedure but it would be difficult to convert the application, as the format for filing revision application is completely different from the format for filing an application under Section 482 of the Code of Criminal Procedure.

In that view of the matter, he seeks leave to withdraw

this application with liberty to challenge the order dated 24.04.2015 passed by the learned Sessions Judge, Bhojpur at Ara in NDPS Case No. 2 of 2015 arising out of Koilwar P.S. Case No. 57 of 2015 by filing a fresh application under Sections 397 and 401 of the Code of Criminal Procedure.

Learned counsel for the Narcotic Control Bureau raises no objection to the prayer made by the learned senior counsel.

Leave is granted.

The Registry is directed to return the certified copy of the impugned order of the present case to the learned counsel for the petitioner. In case, the petitioner files a photo copy of the same, the Registry shall return photo copy so filed on recall of the present case.

With these observations, the application is disposed of.

(Ashwani Kumar Singh, J)

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