

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.88 of 2016

Arising Out of PS.Case No. -63 Year- 2008 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Jaipal Rai Son of Yogendra Rai
2. Indresh Kumar @ Indresh Kr. Rai Son of Bhola Rai
3. Mukesh Rai @ Mukesh Kr. Rai Son of Bhola Rai
4. Bhola Rai son of Late Radhey Rai
5. Yogendra Rai sonof Late Akshaywat Rai All residents of village-
Shitalpur Kakarhatta (Kharsera), P.S.- Bidupur, District- Vaishali
.... Appellant/s

Versus

1. The State of Bihar
.... Respondent/s

Appearance :

For the Appellant/s : Mr. Mukesh Kumar
For the Respondent/s : Mr. Sujeet Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-03-2016 It has been contended by the learned counsel for the appellants that erroneously an appeal under Section 11(2) of the Probation of Offenders Act has been filed against the judgment and order dated 21.12.2015 passed by the learned Sessions Judge, Vaishali at Hajipur in Sessions Trial No. 75 of 2009 arising out of Bidupur P.S.Case No. 63 of 2008 instead of a revision under Sections 397 and 401 of the Code of Criminal Procedure. In that view of the matter, he seeks leave to withdraw the present appeal in order to file an appropriate revision application before this Court.

Leave is granted. The application is disposed of.

(Ashwani Kumar Singh, J)

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