

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27188 of 2016**

Arising Out of PS.Case No. -373 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

Pahlu Koiri @ Rameshwar Singh

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bibhakar Tiwary

For the Opposite Party/s : Mr. Sri Nityanand

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

03 01.09.2016

Since the case has been registered for the offence punishable under SC/ST (Prevention of Atrocities) Act and the impugned order appears to have been passed by Addl. Sessions Judge who exercised the power of the Special Judge, in my view, this petition filed under sections 439 and 440 of the Cr.P.C is not maintainable.

However, in course of hearing, learned counsel for the petitioner seeks permission for withdrawal of this petition with liberty to file criminal appeal before appropriate court.

In view of the aforesaid submission, this petition filed in connection with Sessions Trial no. 124/2016 arising out of Dinara P.S. Case no. 373/2015 pending in the court of Addl. Sessions Judge I, Rohtas at Sasaram stands dismissed as withdrawn with liberty to file criminal appeal before appropriate court in accordance with law.

Shahid

(Hemant Kumar Srivastava, J)

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