

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.519 of 2016

Arising out of P.S. Case No. -340 Year- 2010 Thana -MOHANIA District- BHABHUA (KAIMUR)

Vijay Kant Tiwary, son of Bhuneshwar Tiwary, resident of village -
Barahia, Police Station Mohania, District Kaimur at Bhabua

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

Appearance :

For the Appellant : Mr. Girish Chandra Sharma, Advocate.

For the State : Mr. Sujit Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 22-09-2016 Realising the fact that against an order passed under Sections 3 and 4 of the Probation of Offenders Act, an appeal would lie under Section 11(2) of the Probation of Offenders Act and not under the proviso to Section 372 of the Cr. P.C. under which the present appeal has been filed.

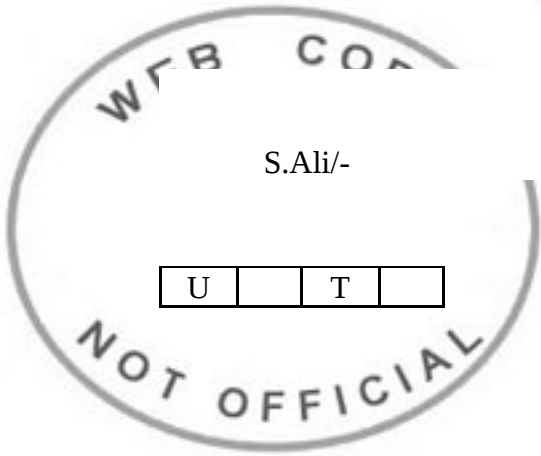
Learned counsel for the appellant seeks leave to withdraw the present application in order to file an appropriate appeal in the same subject matter before this Court.

Leave is granted.

The application is disposed of.

In case, the appellant files a photocopy of the certified copy of the impugned judgment, the certified copy of the same should be returned to the learned counsel for the appellant

after keeping the photocopy on record.



(Ashwani Kumar Singh, J)