

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37639 of 2016

Arising Out of PS.Case No. -162 Year- 2015 Thana -BANIAPUR District- SARAN

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1. Dineshwar Mahto @ Dineshar Mahto, Son of Late Ravi Chandra Mahto
 2. Madan Mahto, Son of Bhola Mahto
 3. Umesh Mahto, Son of Bhola Mahto
 4. Harilal Mahto, Son of Late Mohan Mahto
 5. Lalbahadur Mahto, Son of Late Ramayan Mahto
 6. Jainath Mahto, Son of Late Ramayan Mahto All above residents of Village- Sihoriya, Police Station- Baniyapur, District- Srarn at Chapra.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Satya Prakash, Advocate

For the Opposite Party : Mr. Sri Sadanand Paswan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 07-12-2016 Heard the learned counsel for the petitioners as well as the learned APP for the State.

The learned counsel for the petitioners submits that as per decision of the Division Bench passed in Cr. Misc. No. 25276 of 2016 this Criminal Miscellaneous for pre-arrest bail under SC/ST Act is not maintainable and the remedy lies in filing the Criminal Appeal.

Accordingly, permission has been sought to withdraw this Criminal Miscellaneous with a liberty to file Criminal Appeal.

Permission is granted. Accordingly, this Criminal Miscellaneous is dismissed as withdrawn with a liberty to file Criminal Appeal accordingly.

(Jitendra Mohan Sharma, J)

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