

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.406 of 2016

Arising Out of PS.Case No. -141 Year- 2010 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

Sukai Yadav

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma, Advocate

For the State : Mr. Z.Hoda, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-06-2016

The instant application has been listed under the heading “For Orders (Defective Cases)” for removal of several defects pointed out by the stamp reporter.

It is submitted by Mr. Umesh Chandra Verma, learned counsel for the appellant that due to inadvertence the present application has been filed as an appeal before the Single Judge. He has submitted that since the punishment awarded to the appellant under Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act is life imprisonment, the application ought to have been filed as appeal before the Division Bench.

He seeks leave of the Court to withdraw the present memo of appeal in order to file another appropriate application after removal of all the defects before this Court.

Leave is granted. The application is disposed of as withdrawn.

Regard being had to the facts and circumstances of the case, in case the appellant files true photo stat copy of the certified copy of the impugned judgment and order before the Registry, the Registry is directed to return the certified copy of the impugned judgment and order to the learned counsel for the appellant after retaining the photo stat copy of the certified copy on record.

(Ashwani Kumar Singh, J)

Md.S./-

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