

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.550 of 2016

Arising Out of PS.Case No. -171 Year- 1996 Thana -DAUDNAGAR District- AURANGABAD

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Shri Kesawar Yadav son of Ram Autar Yadav, resident of village- Budhan
Bigha, P.S.-Daudnagar, District- Aurangabad.

.... Appellant

Versus

1. The State of Bihar
2. Krishna Singh son of Mathura Singh
3. Sri Gorakh Singh son of Mathura Singh
4. Gopal Singh son of Mathura Singh
5. Kameshwar Singh son of Harihar Singh
6. Sanjay Singh son of brother-in-law of Kameshwar Singh.
7. Sudhir Singh @ Dablu son of Paras Singh
8. Randhir Singh @ Bablu son of Gorakh Singh
9. Anand Singh son of Krishna Singh
10. Ramji Singh son of Jag Mohan Singh
11. Hira Singh son of Ramdeo Singh
12. Chunnu Singh @ Pramod Son of Ramjit Singh
13. Mahendra Singh son of Harihar Singh
14. Rajendra Singh son of Mathura Singh
15. Satyendra Singh son of Harihar Singh
16. Paras Singh son of Mathura Singh

All are residence of village- Budhan Bigha, P.S.- Daudnagar, District-
Aurangabad (Bihar) except Sanjay Singh- Jehanabad.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ashok Kumar, Advocate
For the Respondent/s : Smt. Abha Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 01-08-2016

At the outset, it is submitted by the learned counsel
for the appellant that the application has wrongly been filed as

criminal appeal before the Single Judge as the order of acquittal has been passed under Section 307 of the Indian Penal Code and the maximum punishment prescribed for the offence is rigorous imprisonment for life.

In that view of the matter, learned counsel for the appellant seeks leave to withdraw the present memo of appeal in order to file an appropriate appeal before Division Bench against the same impugned judgment and order.

Leave is granted.

The application is disposed of as withdrawn.

In case, the appellant files a true photostat copy of the impugned judgment and order, the Registry is directed to return the certified copy of the impugned judgment and order to the learned counsel for the appellant after retaining its photostat copy on record.

(Ashwani Kumar Singh, J.)

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