

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.552 of 2016

Arising Out of PS.Case No. -84 Year- 1994 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

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Abdul Wahab @ Sk. Wahab @ Vahav, Son of Late Md. Khalique, Resident
of Village: Siswaniya, P.S.: Palanwa, District: East Champaran.

.... Appellant

Versus

1. The State of Bihar
2. Sk. Alimul Hoda Son of Sk. Mahammad.
3. Sk. Kamrul Hoda Son of Sk. Mahammad.
4. Kalimul Hoda Son of Sk. Mahammad.
5. Sk. Abbass, Son of Late Sk. Yunus.
6. Sk. Hannan Son of Late Sk. Iliyas.
7. Sk. Bhim, Son of Late Sk. Iliyas.
8. Sk. Samiullah @ Subhas, Son of Late Sk. Yunus.

All Resident of Village- Siswaniya, P.S. Palanwa, District- East-
Champaran.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ram Adya Singh, Advocate

For the Respondent/s : Mr. Binod Bihari 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The application is disposed of as withdrawn.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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