

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.669 of 2016

Arising Out of PS.Case No. -82 Year- 2009 Thana -HATHAURI District- MUZAFFARPUR

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Santosh Kumar S/o Late Siya Ram Singh resident of Village- Asmanpur,
P.S.- Hathauri, Distt- Muzaffarpur.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Verma -Advocate

For the Respondent/s : Mr. Abhay Kumar-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 04-04-2017

Seen the office note.

Vide order dated 28.01.2017, appellant was directed to surrender, so that instant appeal could be heard on the point of admission on account of appellant having not enjoying the privilege of bail at that very moment, though earlier was granted, but not extended.

That being so, instant memo of appeal became defective and is accordingly, dismissed in terms of Order-8, Chapter-12 of the Patna High Court Rules, whereunder the appeal is to be listed for admission only after appearance of the appellant either being under custody or on bail. In case, appellant intends to file an appeal against the judgment impugned after surrender, may take the aforesaid recourse subject to limitation.

(Aditya Kumar Trivedi, J)

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