

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.67 of 2017

Arising Out of PS.Case No. -111 Year- 2016 Thana -PHULWARIA District- GOPALGANJ

- =====
1. Budhan Tiwary son of Dhora Tiwary
 2. Ramdarash Tiwary, son of late Bhagwati Tiwary.
 3. Bipul Tiwary son of Santosh Tiwary
 4. Sandeep Tiwary son of Budhan Tiwary
 5. Pradeep Tiwary son of Budhan Tiwary, all residents of Village-Sawanaha, PS-Phulwaria, Distt-Gopalaganj. Appellant/s
- Versus

The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Mishra, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

6 25-04-2017 Heard learned counsel for the appellants as well as learned SPP.

Learned counsel for the appellants seeks withdrawal of instant appeal in order to facilitate the appellants to surrender before the learned lower court and during consideration of the regular bail, the learned lower court will consider the nature of allegation inconsonance with registration of the case under different Sections of IPC in terms of Section 3(2) (V-a) inconsonance with Serial No. 41 of Schedule prescribing similar kind of sentence along with proper consideration in accordance with law regarding appellant no.5, Pradeep Tiwary who has been pleaded to be insane, without being influence by this order.

With the aforesaid observation, the instant memo of appeal is dismissed as withdrawn.

(Aditya Kumar Trivedi, J)

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