

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.816 of 2017

Arising Out of PS.Case No. -342 Year- 2016 Thana -KHAZANIHAT District- PURNIA

1. Pramod Sinha @ Parmod Kumar Sinha, Son of Khagendra Prasad Sinha.
2. Rita Devi, Wife of Sri Rambali Das.
3. Buttan Sah, Son of Late Nevilal Das.
4. Sonu Kumar, Son of Rambali Das. All Resident of Mohalla- Shivnagar Newalal Chowk, P.S. K. Hat Maranga, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Nadimul Hasan -Advocate

For the Respondent/s : Mr. Sri Sadanand Paswan-S.P.P.

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 21-04-2017

Heard learned counsel for the appellants as well as learned
Prosecutor.

On account of taking of cognizance, instant appeal under the banner of Section 438 of the Cr.P.C. is found non-maintainable in view of decision passed in ***Bachu Das vs. State of Bihar & Ors. reported in (2014) 3 SCC 471*** and so, the learned counsel for the appellants seeks permission to withdraw the instant appeal, which is being accorded to facilitate the appellants to surrender before the learned lower Court and during consideration of regular bail, the learned lower Court will consider the status of appellant nos.2, 3 and 4 to be the Member of Scheduled Caste.

(Aditya Kumar Trivedi, J)

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