

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21954 of 2017

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1. Ram Bharosha Singh, Ex -Head Master, Middle School, Kamrail, Block-Marouna, District- Supaul, Presently deputed in B.R.C. Pratapganj, P.S-Pratapganj, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-05-2017 This application has been filed seeking modification of the order, dated 07.12.2016, passed in Criminal Misc. No. 37277 of 2016.

On a prayer made on behalf of the petitioner to withdraw the said Criminal Misc. No. 37277 of 2016 for the purpose of filing an appeal under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the application was dismissed as withdrawn with the liberty as sought.

Learned counsel appearing on behalf of the petitioner has submitted that the said Criminal Misc. No. 37277 of 2016 arises out of Marouna P.S. Case No. 39 of 2016, registered for the offence punishable under Sections 409, 406 and 420 of the Indian Penal Code and it has no connection with the provisions of



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner appears to have made the aforesaid submission because the petitioner had criminal antecedent and in the other case he is an accused of an offence punishable under various Sections of the Indian Penal Code and the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

In my view, prayer made on behalf of the petitioner for recall and modification of the order, dated 07.12.2016, appears to be *bona fide*.

The order, dated 07.12.2016 is, accordingly, recalled.

Let Criminal Misc. No. 37277 of 2016 be placed under appropriate heading.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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