

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.983 of 2015

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Lallan Jee Pandey, Son of Late of Ganga Deyal Pandey,
Resident of Village- Gopalpur, P.S.- Shahpur, District-
Bhojpur at Ara (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar
2. Vijaynand Pandey, Son of Late Shyama Charan Pandey,
Resident of Village- Gopalpur, P.S.- Shahpur, District-
Bhojpur at Ara (Bihar).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Pandey, Adv.

For the State : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-03-2018 The prayer on behalf of the petitioner for initiating proceeding against opposite party No. 2 under Section 340 read with Section 195(1)(b)(i) of the Code of Criminal Procedure, 1973 (*in short "the Cr.P.C."*) has been rejected by the learned Sessions Judge, Bhojpur at Ara *vide* order dated 23.09.2015, passed in Cr. Misc. No. 53 of 2012.

As against the aforesaid order, there is a provision for appeal under Section 341 of the Cr.P.C.

As such, the present revision petition would not



be maintainable.

Learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present petition in order to enable him, if so advised, to prefer an appeal against the order under challenge.

The petitioner shall be at liberty to file, if necessary, an application along with the appeal for condonation of delay in preferring such appeal.

Dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

Praveen-II/-

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