

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1002 of 2020

Arising Out of PS. Case No.-331 Year-2019 Thana- CHAUSA District- Madhepura

MD. KHUSSO @ MD. KHUSO @ KHURSHID @ SHEKH KHURSHID
Son of Late Md. Makkho @ Makbaul Hussain @ Md. Makhkho Resident of
Village - Paina, P.S.- Chausa, District- Madhepura

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nafisuzzoha, Adv.
For the Respondent/s : Mr.Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-12-2020 Heard Mr. Y.C. Verma, learned senior counsel for the

appellant assisted by Mr. Nafisuzzoha and learned counsel
appearing on behalf of the State through virtual court
proceedings.

Learned senior counsel for the appellant submits that
there is land dispute between the parties, therefore, SC/ST Act is
not applicable against the appellant. He also cites the judgment
of the Hon'ble Apex Court in the case of Hitesh Verma Vs. The
State of Uttarakhan passed in Cr. Appeal No. 707 of 2020
arising out of SLP (criminal) No. 3585 of 2020. Therefore, he
seeks permission to withdraw the present appeal with liberty to
seek regular bail.

Permission is granted.



Accordingly, this appeal is dismissed as withdrawn with liberty to the appellant to seek regular bail before the learned court below. The learned court below is directed to consider the regular bail of the appellant on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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