

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.406 of 2020

Arising Out of PS. Case No.-53 Year-1996 Thana- NAVINAGAR District- Aurangabad

Upendra Singh Son of Late Bhagwat Dayal Singh Resident of Village -
Majhiyawan, P.S.- Nabinagar, District - Aurangabad.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Respondent/s	:	Mr. Shivesh Chandra Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

2 17-09-2020 At the outset, a request is made by Mr. Krishna Prasad Singh, learned senior advocate appearing for the appellant that the appeal in its present form is not maintainable. The sentence awarded is 10 years. Hence, the appeal would lie before the Single Judge and not before the Division Bench. He seeks leave to withdraw the present memo of appeal with liberty to file appropriate appeal before the learned Single Judge.

Leave is granted. The appeal is disposed of.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

(I) The order, which has been dictated during the course



of proceeding of the virtual court, shall be communicated to us on our e-mail by the Sr. Secretary.

- (ii) The corrected copy of the order shall be transmitted by one of us (Ashwani Kumar Singh, J.) to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by us shall be preserved in the residential office of one of us (Ashwani Kumar Singh,J.) for documentation and future use, if any.
- (iv) Let a copy of the order be sent to Mr. Bhaskar Shankar, learned counsel for the appellant also on his e-mail.
- (v) Let steps be taken by the Sr. Secretary/registry for uploading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

(Arvind Srivastava, J)

Pradeep/-

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