

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32016 of 2021

Arising Out of PS. Case No.-15 Year-2020 Thana- NARAINPUR District- Bhojpur

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ROHIT KUMAR SINGH @ ROHIT SINGH Son of Rajendra Singh Resident
of Village- Narainpur, P.S.- Narainpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-07-2021

Heard the parties through video conferencing.

It is submitted by learned counsel for the petitioner that due to inadvertence he has filed the instant application under sections 439 and 440 of the Code of Criminal Procedure instead of an appeal under the SC & ST (Prevention of Atrocities) Act. As such, a prayer is made for permission to withdraw this application with liberty to file an appeal under the SC & ST Act. It is further prayed that although an undertaking has been given that he would be filing an affidavited copy of the original petition along with the certified copy of the order of the learned Court below rejecting the prayer for bail of the petitioner in SC/ST Case No.38 of 2020, it is submitted that he may be permitted to file a photocopy of the order at the time of filing of the original petition in the instant application so that the



certified copy of the order rejecting the prayer for bail of the petitioner in connection with SC/ST Case No.38 of 2020 may be utilized by him in filing of the appeal.

Having heard learned counsel for the parties, permission is granted to withdraw the instant application to file an appeal under the SC/ST Act.

Further permission is granted that while filing the original affidavited application of the instant petition, the petitioner will be enclosing with the same a photocopy of the order rejecting the application for bail of the petitioner in SC/ST Case no.38 of 2020 instead of the certified copy of the said order.

The application stands disposed off as withdrawn.

(Partha Sarthy, J)

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