

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2373 of 2022

Arising Out of PS. Case No.-256 Year-2016 Thana- BIBHUTIPUR District- Samastipur

NAVNEET SINGH @ CHIKU SINGH @ SITTU SINGH @ AADITYA @
AADITYA VATS @ AADITYA SINGH @ NAVNIT SINGH SON OF
SANJAY SINGH @ SANJAY KUMAR SINGH R/O VILLAGE- MAHTHI,
P.S.- BIBHUTIPUR, DISTRICT- SAMASTIPUR

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pushpendra Kumar Singh, Advocate
For the Respondent/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2022 Though the present appeal has been filed against the impugned order dated 16.08.2021, passed by the learned Additional District & Sessions Judge 1st-cum-Special Judge, SC/ST (POA) Act, Samastipur in connection with Bibhutipur PS case no. 256 of 2016, registered for the offence punishable under Section 27 of Arms Act and Section 3(2)(v) of SC/ST (POA) Act but then the said impugned order dated 16.08.2021 had also been challenged earlier by the appellant by filing an Appeal bearing Cr. Appeal (SJ) no. 3778 of 2021, which was disposed off by this Court by an order dated 13.04.2022, granting liberty to the appellant to renew his prayer for bail after framing of charges by the learned court below. It is stated that though the charges have now stood framed by an order dated 09.06.2022 but the appellant has not renewed his prayer for



grant of bail before the learned court below and has approached this Court directly against the impugned order dated 16.08.2021. In such view of the matter, it is submitted that since the appellant has already exhausted the remedy available to him, as far as the aforesaid order dated 16.08.2021 is concerned, he be permitted to withdraw the present appeal and be granted liberty to approach the learned court below for the purposes of filing appropriate petition for grant of regular bail. Liberty so sought is granted.

It is further submitted by the learned counsel for the appellant that the learned court below be directed to consider the bail petition of the appellant by taking into account the fact that this Court vide order dated 13.04.2022, has granted liberty to the appellant to renew his prayer for grant of regular bail, after framing of charge, which has now stood framed as also the fact that the appellant is languishing in custody since 27.05.2019. It is directed, accordingly.

The petition stands disposed off as not pressed, however, with the aforesaid liberty.

(Mohit Kumar Shah, J)

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