

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.866 of 2020

Arising Out of PS. Case No.-390 Year-2004 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Gajendra Mandal @ Rajendra Mandal, Son of Late Raghuveer Mandal Resident of Village - Manpur, P.S.- Gamharia, District - Madhepura.
 2. Bechan Mandal, Son of Raghuveer Mandal Resident of Village - Manpur, P.S.- Gamharia, District - Madhepura.
 3. Manoj Mandal @ Manoj Kumar, Son of Gajendra Mandal @ Rajendra Mandal Resident of Village - Manpur, P.S.- Gamharia, District - Madhepura.
 4. Baleshwar Mandal @ Balesar Mandal, Son of Shanti Mandal Resident of Village - Manpur, P.S.- Gamharia, District - Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Pyari Devi, Wife of Satyanarain Mandal R/o vill - Manpur, P.S. - Gamharia, Distt. - Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Uday Chand Prasad, Adv.
For the Respondent/s	:	Mr. Zeyaul Hoda, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

9 18-09-2023

1. Heard.

2. At the outset, it is submitted by learned counsel for the appellants that the instant matter has been wrongly filed under Section 374(2) read with 389(1) of Cr.P.C. in the form of criminal appeal against the impugned judgment in Cr. App. No. 49 of 2016. Hence, permission is required to change the nature of the instant matter.

3. Permission is granted to change the nature of the instant matter.



4. Two weeks' time is granted to make necessary amendments in the memo of appeal.
5. The period from the date of filing of the instant appeal and the date on which the matter is again taken up by the concerned Bench will not be taken into account while computing the limitation period in respect of the revision petition.
6. List this matter before appropriate Bench after conversion.

(Shailendra Singh, J)

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