

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.548 of 2018**

Arising Out of PS. Case No.-973 Year-2014 Thana- SASARAM NAGAR District- Rohtas

Binod Sah, Son of Late Jagannath Sah, Resident of Village-Chandanpura,
P.S.-Tilouthu, District-Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kamla Kant Pandey, Adv.
For the Respondent/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

7 28-11-2023 1. Heard learned counsel for the Appellant and
learned APP for the State.

2. This appeal has been preferred against the Judgment of Conviction dated 14.12.2017 and Order of Sentence dated 23.12.2017 passed by the Court of learned Additional Sessions Judge-VIII, Rohtas at Sasaram in connection with Session Trial No. 233 of 2015, whereby the appellant has been convicted for the offence punishable under Section 304 part-II and sentenced for the said offence.

3. The main submissions advanced by learned counsel for the appellant are that the appellant has been convicted for the offence punishable under Section 304 part-II and sentenced to undergo rigorous imprisonment for seven years with fine of Rs. 10,000/- and in default of payment of fine, he



was further directed to undergo simple imprisonment for three months and the appellant had been languishing in jail since 27.10.2014 and accordingly, he has served the sentence. Presently, he has been released from jail hence the appellant does not want to press this appeal and wants to withdraw this appeal.

4. Learned APP appearing for the State has no objection to above-mentioned prayer made by the appellant.

5. Considering the above submission and prayer, the appeal is dismissed as withdrawn.

(Shailendra Singh, J)

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