

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2832 of 2023

Arising Out of PS. Case No.-505 Year-2022 Thana- AMAS District- Gaya

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1. SANJAY KUMAR SINGH SON OF LATE BABURAM SINGH
RESIDENT OF VILLAGE MAJHAULIYA POLICE STATION AMAS
DISTRICT GAYA
 2. DEVENDRA SINGH @ DEVENDRA KUMAR SINGH SON OF SHEO
PUJAN SINGH RESIDENT OF VILLAGE- SAREWA, PS- GURARU,
DISTRICT- GAYA
 3. RASHMIT KUMAR @ DULDUL SINGH S/O ANJAY KUMAR SINGH
R/O VILLAGE- MAJHAULIYA, PS. AMAS, DIST. GAYA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. ANUP KUMAR RANJAN TEACHER, PROJECT SHIVBALAK GIRLS
INTER SCHOOL, AMAS, POLICE STATION- AMAS, DISTRICT- GAYA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Prasad Singh
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2023 1. Heard learned counsel for the appellant and learned
Special P.P. for the State, Ms. Usha Kumari No. 1.

2. Learned counsel for the appellant submits that the
appellant is a person with clean antecedent, it is further
submitted that police after investigation finding the appellant to
be innocent submitted the final form but the learned Trial Court
in a mechanical manner differing with the police report took
cognizance, it is next submitted that one investigating agency
after threadbare investigation came to a considered conclusion



that appellant is innocent, would it be justified in sending the petitioner to jail at this stage.

3. Learned Special P.P. for the State, Ms. Usha Kumari No. 1, though is not in a position to rebut the submission of the learned counsel for the appellant but then submits that since cognizance has been taken, as such, the appeal has become infructuous.

4. Learned counsel for the appellant, after hearing the learned Special P.P. for the State, very fairly seeks permission to withdraw the present appeal.

5. Permission is accorded.

6. However, it is made clear that in the event if the appellant surrenders on or before 18.08.2023, the learned Trial Court shall dispose of the case on the same day keeping in mind that the police after investigation submitted final form finding the appellant to be innocent.

(Satyavrat Verma, J)

HarshPandey/-

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