

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3332 of 2022

Arising Out of PS. Case No.-45 Year-2021 Thana- BIHRA District- Saharsa

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1. Jitu Singh @ Jitendra Kumar Singh Son Of Bhushan Singh @ Bhushan Prasad Singh R/O Village- Sihaul, P.S.- Bihra, District- Saharsa
 2. Bhushan Singh @ Bhushan Prasad Singh Son Of Late Anant Prasad Singh R/O Village- Sihaul, P.S.- Bihra, District- Saharsa
 3. Bilash Singh @ Ram Bilash Singh Son Of Late Devan Singh @ Dineshwar Singh R/O Village- Sihaul, P.S.- Bihra, District- Saharsa
 4. Munni Singh @ Anil Kumar Singh @ Bhumi Singh Son Of Late Devan Singh @ Dineshwar Singh R/O Village- Sihaul, P.S.- Bihra, District- Saharsa
 5. Narayan Singh @ Narayan Prasad Singh Son Of Late Daroga Prasad Singh R/O Village- Sihaul, P.S.- Bihra, District- Saharsa

... .. Appellant/s

Versus

1. The State of Bihar
2. Kamleshwari Sada Son Of Late Budhan Sada R/O Village- Sihaul, P.S.- Bihra, District- Saharsa

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2023 1. Heard learned counsel for the appellants and learned A.P.P. for the State.

2. Learned counsel for the appellants submits that appellant nos. 1, 2 and 5 have antecedent of one case whereas rest of the appellants are persons with clean antecedent. It is next submitted that police after investigation submitted final form finding the allegations to be false against the appellants but the court in a mechanical manner took cognizance based on the



same investigation by which the appellants were found innocent.

3. Learned counsel for the appellants next submits that since cognizance has been taken in the present case as such he seeks permission to withdraw the present appeal.

4. Permission is accorded.

5. Accordingly, the present appeal is dismissed as withdrawn.

6. However, it is made clear that in the event, if the appellants surrender on or before 11.08.2023, the learned trial court shall dispose of the case on the same day keeping in mind the fact that one investigating agency has found the appellants to be innocent.

(Satyavrat Verma, J)

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