

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.448 of 2019

In
CRIMINAL APPEAL (DB) No.1190 of 2018

Arising Out of PS. Case No.-27 Year-2001 Thana- KUCHAIKOTE District- Gopalganj

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Amit Kumar Singh Son of Late Rama Singh Resident of - Khairautwan, P.O-
Maniara Kothi, P.S.- Kuchaikot, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Badal Singh @ Jayant Singh Son of Sri Tej Pratap Singh Resident of Village - Khairautwan, P.S.- Kuchaikot, District- Gopalganj
3. Tej Pratap Singh Son of Nand Kishore Singh Resident of Village - Khairautwan, P.S.- Kuchaikot, District- Gopalganj
4. Satish Singh S/o Shivji Singh Resident of Village - Khairautwan, PO.- Maniara Kothi, P.S.- Kuchaikot, District- Gopalganj
5. Maheshwar Singh @ M.B. Singh S/o Sri Shivji Singh Resident of Village - Khairautwan, PO.- Maniara Kothi, P.S.- Kuchaikot, District- Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar, Advocate
For the O.Ps.	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

10 25-11-2024 The present Criminal Revision petition has been preferred by the petitioner against the impugned judgment dated 25.05.2018, passed by learned A.C.J.M.-VI, Gopalganj in Sessions Trial No. 2274 of 2018, G.R. No. 418 of 2001, whereby the respondent Nos. 2 to 6 have been acquitted of all the charge framed against them.



2. Learned counsel for the petitioner submits that on wrong advice of the learned counsel for the petitioner, the petitioner could not file Criminal Appeal against the impugned judgment before Sessions Court, whereas as per the proviso to Section 372 Cr.PC, appeal lies before Sessions Court against acquittal. Hence, he is seeking permission to withdraw the present petition giving liberty to file Criminal Appeal before Sessions Court.

3. Accordingly, the present Criminal Revision petition is dismissed as withdrawn with liberty to the petitioner to file Criminal Appeal against the impugned judgment before the Court of Sessions.

4. Lower Court Record be sent back to the Court below.

(Jitendra Kumar, J)

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