

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.518 of 2022

Arising Out of PS. Case No.-169 Year-2012 Thana- KADAMKUAN District- Patna

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Guli Paswan @ Gulli Paswan, Son of late Sukul Paswan @ Sukhlu Paswan,
Resident of Village- Manpur, Batewa, P.S.- Taraul, District- vaishali.

... .. Appellant

Versus

1. The State of Bihar
2. Sunita Kumari, Wife of Rajesh Kumar Thakur, Resident of Village - Mahadevi Apartment, P.S.- Kadamkuan, Patna.
3. Rajesh Kumar Thakur, Son of Late Karya Nand Thakur, Resident of Village - Mahadevi Apartment, P.S.- Kadamkuan, Patna.

... .. Respondents

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Appearance :

For the Appellant	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhananjay Kumar Gupta, Advocate Mr. Rakesh Bihari Singh, Advocate
For the State	:	Ms. Usha Kumari 1, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

4 11-07-2024 After some arguments as the discussions progressed,

Mr. Sharda Nand Mishra, learned counsel for the appellant

seeks permission to withdraw this appeal unconditionally.

2. Ms. Usha Kumari No. 1, learned Special PP for the

State submits that it is a case in which the learned trial court has

specifically held that the appellant had lodged a false case

against the respondents in order to receive compensation from

the Government and he has taken about Rs. 3-4 lakhs as

compensation.

3. Learned Special PP submits that in such circumstance, this case raises a very pertinent question as to whether after finding that it was a case of false implication of the accused persons-respondent Nos. 2 and 3, the learned trial court was required to grant liberty to the State to recover the money.

4. Since learned counsel for the appellant seeks permission to withdraw this appeal, we are not inclined to go into the issue raised by learned Special PP for the State in the present proceeding, however, this question is left open to be considered in an appropriate proceeding.

5. The appeal is dismissed as withdrawn.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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