

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2589 of 2024

Arising Out of PS. Case No.-212 Year-2022 Thana- SANDESH District- Bhojpur

SANJAY CHAUDHARY S/O LATE MUNSHI CHAUDHARY R/O
VILLAGE- KORI, P.S- SANDESH, DISTT.- BHOJPUR (BIHAR).
... .. Appellant/s

Versus

The State of Bihar
... .. Respondent/s

Appearance :
For the Appellant/s : Mr. Manoj Kumar Singh, Adv.
For the Respondent/s : Mrs. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 17-02-2025 Learned counsel for the appellant(s) undertake(s) to
remove the defect(s) pointed out by the office.

2. Heard Mr. Manoj Kumar Singh, learned counsel for the
appellant and Mrs. Usha Kumari 1, learned APP.

3. The present appeal has been filed:

*for quashing the order dated
31.03.2023 whereby and whereunder 1st Addl.
Sessions Judge -cum- Special Court SC/ST Act,
Bhojpur has taken cognizance of the offences
u/s 147/148/149/341/323/427/302 IPC, 27 Arms
Act and 3(2)(v) of the SC/ST Act against the
petitioner.*

4. With the consent of the parties, the appeal has been
taken up for final hearing.

5. At the outset, Mrs. Usha Kumari 1, learned Spl. P.P.
submits that the appellant has filed two petitions: one, challenging
the cognizance order dated 31.03.2023 in **Cr. Appeal (SJ) No. 2589
of 2024** and second, challenging the order dated **03.10.2023** by



which the discharge petition preferred by filing Cr. Appeal (SJ) No. 2569 of 2024 has been rejected.

6. She submits that the appellant chose not to inform the Court about filing of the two petitions side by side and is being argued herein.

7. At this stage, learned counsel for the appellant submits that he may be allowed to withdraw the Cr. Appeal (SJ) No. 2589 of 2024.

8. It is unfortunate that despite filing of the order challenging their discharge petition, the appellant side by side tried to challenge the said order also and argued the matter at length without informing the Court about the second petition.

9. It was only due to the learned Spl. P.P. that the same came to the light of the Court for which this Court is thankful to Mrs. Usha Kumari 1.

10. Though this Court wanted to dismiss it with heavy cost, as learned counsel for the appellant has chosen to withdraw the appeal, accordingly, the same is dismissed as withdrawn.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

