

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.1451 of 2024

Arising Out of PS. Case No.-18 Year-2012 Thana- RISIYAP District- Aurangabad

Dinesh Prasad Gupta, Son of Jamuna Saw, Resident of Village- Sundarganj,
P.S -Risiup, Dist- Aurangabad.

... .. Appellant

Versus

1. The State of Bihar
2. Babulal Gupta, son of Late Radheshyam Gupta, Resident of village- 2/4 Canal East road, PS- Ulta, Danga, Dist- Kolkata (West Bengal)
3. Bapi Jaina @ Subal Jaina, son of Kanhai Jaina, Resident of village Talgachhari, PS- Ramangar, Dist- East Madenipur (West Bengal)

... .. Respondents

Appearance :

For the Appellant/s : Mr. Ashok Kumar Singh, Advocate
For the Respondent/s : Ms. Shashi Bala Verma, APP

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

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

4 17-02-2025 Mr. Ashok Kumar Singh, learned counsel for the appellant submits at the outset that this criminal appeal, as framed, has been wrongly framed and in this regard, the order dated 10.02.2025 recorded by this Court rightly speaks that the appellant had earlier filed a criminal appeal bearing Cr. Appeal (DB) No. 53 of 2024 in the court of learned Sessions Judge, Aurangabad which he had withdrawn unconditionally.

2. Ms. Shashi Bala Verma, learned Additional Public Prosecutor for the State submits that in fact this appeal seems to have been filed by suppressing material facts.

3. Since learned counsel for the appellant accepts



mistake on the part of his office in filing of the present appeal that too without disclosing all the facts, we are not inclined to take an adverse view of the matter.

4. This appeal is dismissed as withdrawn.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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