

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.846 of 2024

Arising Out of PS. Case No.-67 Year-2018 Thana- CHHABILAPUR District- Nalanda

Anita Sinha, Daughter Of Late Upendra Kumar @ Sanjay, Resident Of
Village - Kanchanpur, P.S. - Chhabilapur, District - Nalanda

... .. Appellant/s

Versus

1. The State Of Bihar
2. Sarita Devi @ Mansa Mai, Wife Of Late Durga Prasad, Resident Of Village
- Badhauna, P.S. - Chhabilapur, District - Nalanda
3. Manish Mistry, Son Of Pradeep Mistry, Resident Of Village - Kanchanpur,
P.S. - Chhabilapur, District - Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Binit Kumar, Advocate Mr.Raj Kishor Prasad, Advocate
For the State	:	Mr.Bal Mukund Prasad Sinha, Addl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

5 30-03-2026 Heard learned counsel for the appellant and learned
Additional Public Prosecutor for the State.

2. After some arguments, learned counsel for the
appellant himself admits that in this case there is neither any eye
witness nor any witness connecting the chain of circumstances.

3. We fail to understand as to why, in such
circumstance, an appeal under Proviso to Section 372 Cr.P.C.
has been preferred. We are of the view that the appeal is
required to be dismissed with cost but at this stage, learned



counsel for the appellant submits that he may be allowed to withdraw the appeal unconditionally.

4. Learned Additional Public Prosecutor for the State has no objection to the same.

5. In the circumstances, the appeal is dismissed as withdrawn.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

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