

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47181 of 2012

Arising Out of PS.Case No. -null Year- null Thana -null District- -

- =====
1. Parvati Devi, wife of Chandrama Prasad,
 2. Bitan Prasad, son of Chandrama Prasad,
 3. Chandrama Prasad, son of late Mukhlal Prasad &
 4. Devnath Prasad, son of Chandrama Prasad, all resident of village-Bhatwalia, P.S.-Majhagarh, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Rita Devi, wife of Krishna Murari Prasad, resident of L.R.P. Colony, Raja Bazar, P.S.-Nagar Motihari, district- Motihari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar No.II, Advocate

Mr. R. B. Roy 'Raman', APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 09-09-2015

The Petitioners seek quashing of the order of cognizance dated 24.05.2008 passed by the Judicial Magistrate, 1st class, Sadar, Motihari, in Complaint Case C.A.No.560 of 2005/Tr. No.2146 of 2012.

The case of the Complainant is that her two minor children, who used to reside with her, had been kidnapped by the present Petitioners.

On the last occasion, notice had been issued to the Opposite Party No.2, who has appeared along with two children, who are residing with her. She submits that now she does not wish to

proceed any further with the present Complaint Petition.

In view of such, the order of cognizance dated 24.05.2008 passed by the Judicial Magistrate, 1st class, Sadar, Motihari, in Complaint Case C.A.No.560 of 2005/Tr. No.2146 of 2012 is hereby set aside.

The application stands **allowed**.

(Anjana Prakash, J)

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