

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.770 of 2012

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Dr. Mukesh Kumar Singh son of Late Birendra Prasad Singh, presently posted as Medical Officer, Referral Hospital, Sandesh, P.S. - Sandesh, District - Bhojpur at Ara, resident of Mohalla - Easst Karyanand Nagar, Lakhisarai, Ward No. 7, P.S. & District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, Bhojpur at Ara
4. The Dy. S.P. (Head Quarter) Rural, Bhojpur
5. The Officer-in-charge, Sandesh Police Station, District - Bhojpur at Ara
6. Akshay Chaudhary son of Late Sohrai Chaudhari, resident of village-Saraiya, P.S.-Sandesh, District- Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj, Advocate

For the Respondent/s : Mr. Prashant Pratap, G.P.-6

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

10 10-12-2015 Heard learned counsel for the petitioner and learned counsel for the State.

By way of present application under Articles 226 and 227 of the Constitution of India, the petitioner seeks quashing of the first information report arising out of Sandesh P.S. Case No.29 of 2012 dated 27.3.2012 registered under section 304/34 of the Indian Penal Code.

At the outset, it has been contended that during pendency of the application the police have submitted charge-sheet in the court of Chief Judicial Magistrate, Ara and in that

view of the matter, the petitioner would intend to file another application in accordance with law for proper relief.

In view of the submissions made at the Bar, the application is disposed of as withdrawn with liberty to the petitioner to challenge the adverse police report and/or the order passed by the Magistrate on the basis of such police report.

(Ashwani Kumar Singh, J)

Md.S./-

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