

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38705 of 2014**

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Surendra Prasad Chaurasia Son of Late Ambika Prasad Chaurasia
Resident of Village + P.O.- Sahdulahpur, P.S.- Ganga Bridge,
District- Vaishali. Petitioner/s

Versus

1. The State of Bihar.
2. Rajiv Kumar Chaudhary Son of Sri Suresh Prasad Chaudhary
L.I.C. agent Code No. 01772545, Resident of Village- Pakri, P.S.-
Bidupur, District- Vaishali. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.
For the Opposite Party/s : Mr. M. Haque (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

04. 04.02.2015

This is an application for modification of the order dated 17.02.2014 passed in Cr. Misc. No. 44686 of 2013 by which the Petitioner had undertaken that he will withdraw the case after receipt of Rs. 38,000/- from the Opposite Party No. 2.

Learned Counsel for the Petitioner submits that he was directed to file a withdrawal petition after taking the aforesaid money but now he does not want to take money nor he wants to withdraw the prosecution.

Under such circumstances, the modification application is disposed off with liberty to the parties to proceed in accordance with law.

Let this order be communicated to Smt. Archana Singh, Judicial Magistrate, 1st Class, Vaishali at Hajipur (or its successor) in connection with Complaint Case No. 291 of 2008.

(Anjana Prakash, J.)

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