

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19266 of 2015

Arising Out of PS.Case No. -553 Year- 2010 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Shoaib Ahmad Son of- Shaikh Md. Habibullah, Resident of Village- Baghan
Nizamat, P.S.- Thawe, District- Gopalganj, (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Bachchi Devi Wife of- Late Matiurrahman @ Nanu Mian, Resident of Brahm
Chowk, Ward No. 16, Thana Road, Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. S. Rahman, Adv.

For the Opposite Party/s : Mr. Pranav kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 06-05-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

This application under section 482 of the Code of
Criminal Procedure (in short 'the Code') has been filed for quashing
the order of cognizance dated 22.01.2011 passed in Complaint Case
No.553 of 2010 by the learned Sub Divisional Judicial Magistrate,
Gopalganj.

It would appear from the pleading of the petitioner that
the matter before the court below has proceeded ahead to the stage of
framing of charge. The petitioner has filed an application under
section 245 of the Code for discharge before the Magistrate
concerned. The said application for discharge has been rejected by the

learned Magistrate vide order dated 11.02.2013. The aforementioned order dated 11.02.2013 has been challenged in Criminal Revision before the learned Adhoc Additional District & Sessions Judge- III, Gopalganj.

Regard being had to the advanced stage of the case, the present application has become infructuous. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

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