

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39274 of 2012**

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1. Anjana Mishra daughter of Mahesh Mishra, wife of Akhilendra Kumar Pathak

2. Ayush son of Akhilendra Kumar Pathak  
both are residents of village Sundarpur, Police Station Kotwali,  
District Munger at present residents of Mohalla Green Ply  
Ricko Industrial Area, Near Railway Gumti No.2, Beharor,  
P.S.Allahar, District Rajasthan .... .. Petitioner/s

Versus

1. The State of Bihar

2. Rupa Kumari daughter of Sri Uday Kumar Mishra, resident of Mohalla Birpur, Ward No.1, P.S.Birpur and District Supaul  
..... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate  
For the Opposite Party No.1 : Mr. Mayanand Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

4      30-04-2015

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After having heard the parties for some time, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the present application with a liberty to raise all the issues, which have been raised in the present application, at the stage of framing of charge.

Permission is accorded.

The present application stands disposed of as withdrawn with the liberty aforesaid. Interim order of stay passed on 10.09.2013 by a Bench of this Court stands vacated.

Learned Sub Divisional Judicial Magistrate, Birpur, Supaul, who is in seisin of the case, would be well advised to take up the trial of the petitioners on priority basis and endeavour should be made to conclude the same at an early date preferably within a period of six months from the date of receipt/production of a copy of this order.

**(Birendra Prasad Verma, J)**

Tahir/-

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