

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15639 of 2014

In

Criminal Miscellaneous No.27648 of 2012

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Ghanshyam Tiwari, Son of Ram Sewak Tiwari, Resident of Village Narma,
P.S- Fathua, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rahul Kishore, Son of Sushil Kumar @ Babban Singh Residnet Of Vill-
Marma, P.S- Fathua, Distt- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Prasad No.-1
Mr. Md. Mushtaque Alam
For the Opposite Party no.1: Mr. R.B.Roy Raman, Addl.P.P.
For the Opposite Party no.2: Mr.Dharmendra Kumar Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 11-03-2015

Cr.Misc.No.15639 of 2014

After having heard the parties and for the reasons disclosed in the present application, the prayer for restoration of Cr.Misc.No.27648 of 2012, which stood dismissed for want of prosecution by the order dated 04.12.2013, is allowed. Cr.Misc.No.27648 of 2012 is restored to its original file.

The present application stands finally disposed of.

Cr.Misc.No.27648 of 2012

With the consent of the parties, this matter has been taken up for consideration on merits.

The petitioner has filed the present application under Section 482 of the Code of Criminal Procedure, 1973 for quashing the order dated 12.06.2012 passed in Cr.Rev.No.1096 of 2009 by learned 1st Additional Sessions Judge, Patna City, whereby the aforesaid Criminal Revision Application filed on behalf of the

opposite party no.2 was allowed, and the order dated 09.07.2008 passed by learned A.C.J.M., Patna City discharging the petitioner from the criminal case was set aside and the learned Magistrate was directed to proceed further against the petitioner also, besides others, in the criminal case lodged by the opposite party no.2 in accordance with law.

After some argument, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present application with a liberty to raise all the issues, which have been raised in the present application, during the course of the trial.

Permission is accorded.

The present application stands disposed of as withdrawn with the liberty aforesaid.

(Birendra Prasad Verma, J)

Arvind/-

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