

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.907 of 2013

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Manager Prasad, Son of Late Sita Ram Sah, Resident of Mohalla - Hajipur Gola, Police Station- Rafiganj, Distt- Aurangabad at present Ward Councilor of Ward No. 1 Rafiganj, Nagar Panchayat in the Distt- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Urban Department, Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad
3. The Executive Officer, Aurangabad
4. The Sub-Divisional Officer, Aurangabad
5. The Executive Officer, Nagar Panchayat Rafiganj, Distt- Aurangabad.
6. The Superintendent of Police, Aurangabad, Distt- Aurangabad.
7. The Police Inspector, Rafiganj, Distt- Aurangabad

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

Mr. Ranjeet Choubey, Advocate

For the Respondent/s : Mr. Asit Kumar Jha, AC to GP-6

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

4 05-01-2015

In the present writ petition filed under Articles 226 and 227 of the Constitution of India, the prayer made by the petitioner in para 1 is as under:-

“That, the present application is being filed for quashing the F.I.R. bearing Rafiganj P.S. Case No. 85 of 2013 which was lodged against the petitioner

U/Ss. 171 (G), 420 of the I.P.C. as well as Section 447 of the Bihar Municipal Act 2007.”

A counter affidavit has been filed on behalf of the respondent nos. 2 & 3. Para 11 of the counter affidavit it has been stated that in the light of the order passed by this Court in C.W.J.C. 17493 of 2013 and L.P.A. No. 443 of 2014, the District Magistrate, Aurangabad has directed the District Prosecution Officer, Aurangabad vide letter no. 2004 dated 17.12.2014 to file a petition in the court to withdraw Rafiganj P.S. Case No. 85 of 2013.

In view of the aforesaid statement made in para 11 of the counter affidavit, learned counsel for the petitioner seeks leave to withdraw the present writ petition.

Leave is granted.

The application is disposed of as withdrawn.

(Ashwani Kumar Singh, J.)

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