

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32357 of 2012

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1. Sheikh Ismail @ Ismail, son of late Sheikh Khalil
 2. Md. Shahid Hussain, son of Sheikh Ismail
 3. Md. Jahir, son of Sheikh Ismail
 4. Md. Mojahir, son of Sheikh Ismail
 5. Jaitun Nesha, wife of Shahid Hussain
 6. Md. Hasan, son of Md. Shahid Hussain
 7. Md. Lalbabu, son of Sheikh Ismail
 8. Jainab Khatoon, wife of Md. Sahim
 9. Rubby Khatoon, wife of Md. Kalam
 10. Munni Khatoon, wife of Md. Jakir
 11. Anisha Khatoon, wife of Md. Lal Babu
 12. Afsana Khatoon, wife of Md. Mojahir
 13. Md. Rustam, son of Md. Shahid Hussain

All are resident of Kharuhibara, Farid Police Station, Kundwa Chainpur,
Distt. East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sheikh Kamaruddin, son of Sheikh Amin, resident of village
Kharuhibara Farid, P.S. Kundwa Chainpur, Distt. East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Adv.

For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 13-02-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners seek quashing of the order dated 20.3.2012 passed by the District & Sessions, Judge, East Champaran, Motihari, in Cr. Revision No. 13 of 2012, by which he has set aside the order of dismissal dated 2.6.2012 Passed in Complaint Case No.C586 of 2011 by the Judicial Magistrate, 1st Class, Sikrahana.

It appears that on 26.7.2011, an occurrence took place in which two cases were filed one on either side.

Since the occurrence had taken place on the spur of the moment, and now, good sense has prevailed between the Parties, they wish to withdraw both the Prosecution instituted under minor offences.

Hence, the application stands allowed and the Proceedings including the order dated 2.6.2012 passed by Sri S.K. Mishra, Judicial Magistrate, 1st Class, Sikrahana, in Complaint Case No. C.586 of 2011 and Sikaharna P.S. Case No. 4611 of 2011 also pending before the Judicial Magistrate, Sikahana, are hereby set aside.

(Anjana Prakash, J)

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