

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6156 of 2014

In

Criminal Miscellaneous No.13018 of 2013

Arising Out of PS.Case No. -100 Year- 2002 Thana -KUDHNI District- MUZAFFARPUR

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Ram Bhaju Rajbanshi @ Ram Bhajan Singh, Son of Late Videshi Rajbanshi, Resident of Village-Katesar, P.S.-Rampur Chauram, District-Arwal.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md.Mustaque Ahmad, son of late Kabir Hussasin, resident of Mohalla-Ansar Nagar, Nawada, P.S.-Bundel Khand, District-Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 29-04-2015

Cr.Misc.No.6156 of 2014

Though, the petitioner has not complied with the order dated 25.02.2015 passed by this Bench and has not filed any petition for substitution of O.P.No.2, the complainant, who is said to have died during the pendency of the present application, however, even in absence of heirs of the complainant, the matter has been taken up for consideration on merit.

The petitioner has filed the present application seeking restoration of Cr.Misc.No.13018 of 2013, which stood dismissed for want of prosecution by an order dated 10.12.2013.

For the reasons disclosed in the present application, the prayer for restoration is allowed. Cr.Misc.No.13018 of 2013 is restored to its original file.

The present Cr.Misc. No.6156 of 2014 stands finally disposed of.

Cr.Misc.No.13018 of 2013

The petitioner has filed the present application for quashing the order dated 13.2.2012 passed by the learned SDJM, Nawada in Complaint Case No.619 of 2011/2322 of 2011, whereby the cognizance has been taken for offences under Sections 409, 420 and 120B of the Indian Penal Code and summon has been issued to the petitioner for facing the trial.

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, at an appropriate stage of 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The present application stands disposed of as withdrawn with the liberty aforesaid.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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