

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 36150 of 2013

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Shyampati Devi Wife of Sitaram Singh R/O Village-Katrasin, Police
Station-Makhdumpur District-Jehanabad

.... Petitioner

Versus

1. The State of Bihar
2. Devendra Sharma Son of Chandradeo Singh R/O Village-Katrasin, Police
Station-Makhdumpur District-Jehanabad
3. Amresh Sharma Son of Late Ramadhar Sharma R/O Village-Mananpur,
Police Station-Makhdumpur District-Jehanabad
4. Umesh Yadav Son of Butai Yadav R/O Village-Uwa, Police Station-
Makhdumpur District-Jehanabad

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Opposite Party/s : Mr. Rajesh Kumar
Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

7. 09-09-2015 Heard Sri Sunil Kumar, learned counsel for the
petitioner, Sri Rajesh Kumar, learned counsel for the private
opposite parties as well as Sri Sanjay Kumar, learned Standing
Counsel for the C.B.I.

The present petition was filed with a prayer to modify
order dated 16-04-2010 passed in Cr. Misc. No. 4718 of 1998 to
the extent of modifying/withdrawal of the order of stay in
Complaint Case No. 271 of 1997 pending in the court of Sri
S.K.Rai, learned Judicial Magistrate, 1st Class, Jehanabad. By
order dated 16-04-2010, this Court had rejected the quashing
application filed by opposite party no. 2 to 4 of the present

petition. At the time of dismissal of the quashing application, this Court had directed the Central Bureau of Investigation (for short "C.B.I.") to enquire and investigate into the matter and submit report. Keeping in view the fact that proceeding in the court below i.e. in Complaint Case No. 271 of 1997 was stayed since 05-03-1998 and same was operating, this Court directed to keep the proceeding in Complaint Case No. 271 of 1997 in abeyance till final result of the investigation, being conducted by the C.B.I.

In this case, Central Bureau of Investigation has filed an affidavit, wherein, it has been indicated that after completion of investigation, final report has already been submitted in the court of Judicial Magistrate, C.B.I. cases, Patna.

In view of the fact that the C.B.I., after investigation, has already submitted final report, it is obvious that order of stay granted by this court by order dated 16-04-2010, automatically has come to an end.

Accordingly, there is no need to pass any separate order for modifying the order.

The petition stands disposed of.

(Rakesh Kumar, J.)

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