

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34273 of 2014

Arising Out of PS.Case No. -1335 Year- 2004 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Satyanarayan Choudhary
2. Pramod Choudhary @ Gaj Choudhary Both Sons of Late Ram Das Choudhary
3. Usha Devi @ Surmila Devi Wife of Pramod Choudhary @ Gaj Choudhary All
resident of Village-Bishambharpur, P.S.-Nokha, District-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi D/o-Keshaw Prasad Singh Resident of Village-Narayan Chak, P.O.-
Amjhor, P.S.-Rohtas, District-Rohtas.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Ms. Indu Bala Pandey, APP
For Opposite Party No.2 : Mr. Rajesh Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 31-03-2016

The Petitioner seeks quashing of the order dated
19.7.2005 passed by the Sub Divisional Judicial Magistrate, Sasaram,
Rohtas in Complaint case No.1335/2004/ Trial No.1775 of 2013.

The admitted position is that the Opposite Party No.2 is
now dead and no one has been substituted instead of her in the Court
below.

In view of such, evidently when the Complaint Petition
itself does not survive, there is no question of prosecution of the
Petitioners.

Hence, the application is dismissed as having become
infructuous.

Narendra/-

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(Anjana Prakash, J)