

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48740 of 2013

Arising Out of PS.Case No. -118 Year- 2013 Thana -SIMRI District- BUXAR

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1. Ajay Kumar Rai @ Ajay Rai
2. Vikash Kuamr Rai @ Vikash Rai
3. Vinita Kumari @ Vikki all are son and daughter of Hare Ram Rai, Resident Of Village- Rajapur, Beni Lal Ke Dera, P.S.- Simari, Dist.- Buxar

.... Petitioner/s

Versus

1. The State Of Bihar
2. Gorakh Nath Tiwary S/O Late Lakshman Tiwary, Resident Of Village- Rajapur, Beni Lal Ke Dera, P.S.- Simari, Dist.- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh 1, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-05-2016

No one appears on behalf of the Opposite Party No.2.

The Petitioners seek quashing of the order of cognizance dated 7.10.2013 passed by the Chief Judicial Magistrate, Buxar in Simari P.S. case No.118 of 2013.

The case of the Informant is that on a petty dispute of drainage system both the parties clashed with each other and instituted one case each against each other. In the case instituted by the Petitioners charge sheet was submitted but the Court held that no offence under Section 307 I.P.C. is made out. As against the same the Petitioners have moved quashing application.

The Petitioners submit that they are ready to withdraw the said case bearing Simari P.S. case No.117 of 2013 since now the dispute, which was topical in nature, has been settled and it would be in their interest that both the prosecutions be set aside.

Considering such submission, the application is allowed and the proceeding of Simari P.S. case No.118 of 2013 including the order of cognizance dated 7.10.2013 passed by the Chief Judicial Magistrate, Buxar in Simari P.S. case No.118 of 2013 as also the proceeding of Simari P.S. case No.117 of 2013 pending in the court of Chief Judicial Magistrate, Buxar is hereby set aside.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	
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