

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46566 of 2015

Arising Out of PS.Case No. -380 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

Dr. Amit Kumar son of Ram Bilas Prasad, resident of Mohalla- Sambhavi
Enclave, A-Block, D-4, Bhoot Nath Road, P.S.- Agam Kuan, District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. Dr. Akanchha wife of Dr. Amit Kumar, daughter of Dr. Ram Naresh Kumar, at present residing at Mohalla- Patel Nagar, Nai Sarai, P.S.- Bihar, District- Nalanda

.... Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh , APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-03-2016 Mr. Anil Kumar Singh, learned counsel for the petitioner submits that due to efflux of time, the application seeking quashing of summoning order dated 20.02.2015 passed by the learned Chief Judicial Magistrate, Nalanda at Biharsharif in Bihar P. S. Case No. 380 of 2014, has become infructuous as the case has reached to the stage of framing of charge and the application filed under Section 239 of the Code of Criminal Procedure seeking discharge from the aforesaid case has already been dismissed.

In that view of the matter, he seeks leave to withdraw the present application in order to challenge the order dated 09.02.2016 passed in Bihar P. S. Case No. 380 of 2014, whereby and whereunder the learned Magistrate has rejected the application dated 18.12.2015 preferred under Section 239 of the Code of Criminal Procedure.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J.)

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