

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.104 of 2016

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1. Mukesh Kumar Yadav S/o Late Ambika Yadav, R/o Village- Katyria,
P.S.- Daudnagar, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Superintendent of Police, Patna, District- Patna
3. Officer-in-Charge, Gardanibagh, Police Station Gardanibagh, District- Patna
4. Asha Devi D/o Bijendra Paswan, R/o Village- Jalpura, P.S.- Paliganj,
District- Patna, At present Mahanyala Paharpur, Police Colony,
Anishabad, P.S.- Gardanibagh, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Adv.

For the Respondent/s : Mr. Anjani Kumar, AAG-6

Mr. Shailendra Kumar Singh, AC to AAG-6

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 11-02-2016 Heard Mr. Dharendra Kumar Sinha, learned

Counsel, appearing on behalf of the petitioner, and Mr. Anjani
Kumar, learned Additional Advocate General-6, appearing on
behalf of the State.

By making this application under Article 226 of the
Constitution of India, the petitioner has sought for quashing of
the First Information Report, which has given rise to
Gardanibagh P.S. Case No. 57 of 2015 under Sections- 313, 418,
420, 496, 498A/34 of I.P.C. and 3/4/5 of S.C./S.T. (Prevention
of Atrocities) Act or cognizance of the offence, if taken.

It is, however, submitted by Mr. Anjani Kumar,

learned Additional Public Prosecutor-6, that upon completion of investigation, the police has already submitted a *police report*, within the meaning of 173(2)(ii) of Cr.P.C., informing the Court that investigation has revealed that the case was found to be true.

In view of the above, it is the *charge sheet* which is required to be quashed and, for this purpose, Mr. Dhirendra Kumar Sinha, learned counsel, appearing on behalf of the petitioner, seeks permission to withdraw this application with liberty to approach this Court with appropriate application, in future, if so advised, and also to take recourse to such provisions of law as may be permissible.

In view of the above and in the interest of justice, the application is hereby disposed of as withdrawn with liberty granted to the petitioner to approach this Court with appropriate application, in future, if so advised, and also to take recourse to such provisions of law as may be permissible.

(I.A. Ansari, ACJ)

K.C.jha/-

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