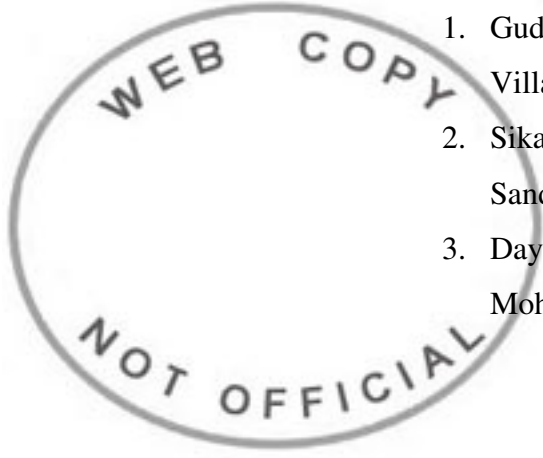


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.431 of 2015



- =====
1. Guddu Sah @ Guddu Prasad Sah son of Late Thakur Sah, resident of Village- Karahasi, P.S. Buxar (T), District Buxar
 2. Sikandar Sah son of Ganpat Sah, resident of Village- Sandesh, P.S. Sandesh, District Bhojpur
 3. Dayanand Prasad Yadav son of late Bindeshwar Rai, resident of Mohalla Arrah, P.S. Nawadah, District Bhojpur

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Bihar, Patna
2. The Collector, Buxar
3. The Superintendent of Police, Buxar
4. The Superintendent of Excise, Buxar
5. The Sub Inspector of Police, Town Buxar, District Buxar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal, Advocate
For the Respondent/s : Mr. Binod Ji Verma (Gp-17)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 02-05-2016 By way of the present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for quashing the first information report (for short “FIR”) registered in connection with Buxar (Town) P. S. Case No. 356 of 2014 registered under Section 272 of the Indian Penal Code and Section 47(a) of the Excise Act.

During the pendency of the present application, the

investigation of the case has been completed and charge-sheet has already been submitted in the court of Jurisdictional Magistrate on 30th April, 2015, pursuant to which cognizance of the offence has also been taken by the learned Magistrate.

Regard being had to the subsequent developments which took place during the pendency of the present application, the learned counsel for the petitioner seeks leave to withdraw the present application in order to challenge the order taking cognizance of the offence by filing another appropriate application before this Court.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J.)

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