

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38574 of 2015

Arising Out of PS.Case No. -12 Year- 2011 Thana -C.B.I CASE District- PATNA

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1. K. Venkata Rao Son of Late Uma Maheshwar Rao Chairam of E.C.I. Company.
2. K. Venkata Phani Son of K. Venkata Rao Director of E.C.I. Company
Both situated at plot no.-A12-13, Panchavati Township Manikonda, Rajendra Nagar Mandal, R.R. District-Hyderabad 500089, A.P. (India)

.... Petitioner/s

Versus

The Union of India through C.B.I., Patna

.... Opposite Party/s

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with

Criminal Miscellaneous No.1535 of 2016

Arising Out of PS.Case No. -12 Year- 2011 Thana -C.B.I CASE District- PATNA

- =====
1. K. Venkata Rao son of Late Uma Maheshwar Rao, Chairman of E.C.I. Company
2. K. Venkata Phani son of K. Venkata Rao, Director of E.C.I. Company,
Both situated at Plot No. A-12-13, Panchvati Township Manikonda, Rajendra Nagar Mandal, R.R. District- Hyderabad, 500089 A.P. (India)

.... Petitioner/s

Versus

1. The Union of India through C.B.I. Patna

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.38574 of 2015)

For the Petitioner/s : Mr. Md. Khurshid Alam, Adv.
For the C.B.I. : Mr. Bipin Kumar Sinha (SC, CBI)
For the State : Mr. Jharkhandi Upadhyay, APP

(In Cr.Misc. No.1535 of 2016)

For the Petitioner/s : Mr. Md. Khurshid Alam, Adv.
For the C.B.I. : Mr. Bipin Kumar Sinha, (SC, CBI)
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 21-01-2016 These two applications have been listed under the heading “To Be Mentioned” at the instance of learned counsel for the petitioners.

The petitioners are common in both these cases. They have been made accused in Special Case No.8 of 2011 arising out of R.C. No. 12A/2011 registered under Sections 13(2) read with 13(1)(c) & (d) of the Prevention of Corruption Act and Sections 120-B, 409, 420, 467, 468, 471 and 477-A of the Indian Penal Code.

In Cr.Misc. No. 38574 of 2015, by filing an application under Section 482 of the Code of Criminal Procedure (for short "CrPC"), the petitioners have prayed for partial quashing of the order dated 19.11.2014 passed by the Special Judge C.B.I.-III, Patna whereby non-bailable warrant has been issued against the petitioners after filing of the police report in the Court under Section 173 CrPC.

In Cr.Misc. No. 1535 of 2016, by filing an application under Section 482 CrPC, the petitioners seek quashing of the order dated 06.11.2015 passed by the learned Special Judge C.B.I.-III, Patna whereby he has rejected the application filed on behalf of the petitioners under Section 205 CrPC for dispensing with their personal attendance.

At the outset, Mr. Khurshid Alam, learned counsel appearing for the petitioners in these cases seeks leave to withdraw these two applications.

Mr. Bipin Kumar Sinha, learned counsel for the C.B.I. raises no objection to the prayer made by the learned counsel for the petitioners.

In that view of the matter, the applications are dismissed as withdrawn.

(Ashwani Kumar Singh, J)

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