

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14487 of 2015

Arising Out of PS.Case No. -1182 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Dr. Amrendra Narain Jha son of Late Dr. Rameshwar Jha, resident of village - Barbatta Salempur, Police Station - Musrigharari, District - Samastipur at present posted as Medical Officer, Additional T.B. Centre, Jhanjharpur, District - Madhubani
 2. Dr. Subhash Chandra Paswan son of Late Ramdeo Paswan, resident of Coal Siding, Mokamaghat, Police Station - Mokama, District - Patna, at present posted as Civil Surgeon - Cum - Chief Medical officer, Katihar
 3. Dr. Sudhir Kumar Sinha son of Late Akhauri Mahendra Prakash Sinha, resident of Mohalla - Biratpur, Police Station - Aurangabad, District – Aurangabad, at Present posted as Superintendent of A.N. Medical College Hospital, Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar son of Late Rama Nand Prasad, resident of village - Dhurlakh, Police Station - Muffasil Samastipur, District - Samastipur at present resident at C/o Smt. Ranjana Prasad 'A' Grade Nurse, Sub-Divisional Hospital, Jhanjharpur, Police Station - Jhanjharpur, District - Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh 5, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-04-2016 Though in the present application preferred under Section 482 of the Code of Criminal Procedure the challenge is to the order dated 10.3.2015 passed by the learned Additional Chief Judicial Magistrate, Jhanjharpur in Complaint Case No.1182 of 2014 whereby in exercise of power conferred under Section 156(3) of the Code of Criminal Procedure the SHO of Jhanjharpur

Police Station has been directed to institute an FIR and investigate the same, learned counsel for the petitioners at the outset has submitted that during pendency of the application the aforesaid order dated 10.3.2015 has taken its effect and in compliance with the order an FIR vide Jhanjharpur P.S. Case No.36 of 2016 has already been instituted.

In view of the subsequent development which took place during the pendency of the application, learned counsel for the petitioners seeks leave to withdraw the present application in order to file another application in the same subject matter challenging the FIR in respect of Jhanjharpur P.S. Case No.36 of 2016 also.

In view of the changed circumstances of the case, the application is disposed of as withdrawn with liberty to the petitioners to file another appropriate application before this Court challenging the aforesaid FIR as also the impugned order dated 10.3.2015.

(Ashwani Kumar Singh, J)

Md.S./-

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