

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55563 of 2015

Arising Out of PS.Case No. -17 Year- 2013 Thana -DAUDPUR District- SARAN

- =====
1. Jawahir Prasad son of Late Moti Sah @ Moti Prasad
 2. Dewaki Devi wife of Jawahir Prasad
 3. Anil Kumar Gupta son of Jawahir Prasad
 4. Sonu Kumar @ Sahil Gupta @ Sonu Gupta
- All 1 to 4 above are residents of village- Chapasati Gali, Bairiya, P.S.- Bairiya, District- Baliya (Uttar Pradesh)
5. Sangeeta Devi daughter of Jawahir Prasad, wife of Sanjay Gupta, resident of village- Muskabad, P.S.- Ratanpura, District- Mau (Uttar Pradesh)
 6. Binod Kumar @ Binod Kumar Gupta son of Biseshwar Prasad
 7. Manoj Kumar @ Manoj Kumar Gupta son of Biseshwar Prasad
- Both above are residents of village- Chapasati Gali, Bairiya, P.S.- Bairiya, District- Baliya (Uttar Pradesh)

.... Petitioner/s

Versus

1. The State of Bihar
2. Shobha Devi wife of Uday Narayan Prasad at present resident of C/o Chotan Prasad, Mohallah- Daud Bazar, P.S.- Daudpur, District- Saran, Chapra

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate
For the State : Mr. B.N.Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-05-2016 Since the impugned order taking cognizance of the offence has been passed by the learned Magistrate more than two years ago, learned counsel for the petitioners seeks leave to withdraw the present application in order to file an appropriate application under Section 239 of the Code of Criminal Procedure for discharge before the jurisdictional Magistrate in view of the decision of the Supreme Court in the matter of *Geeta Mehrotara*

& Anr. vs. State of U.P. & Anr., reported in **2013(1) PLJR (SC)**

10.

Leave is granted.

The application is disposed of.

It goes without saying that if such an application is filed by the petitioners, the court below shall dispose of the same expeditiously after taking into consideration the decision cited on behalf of the petitioners.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--