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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34496 of 2014

Arising Out of PS.Case No. -14 Year- 2011 Thana -RAJNAGAR District- MADHUBANI

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Bipin Kumar Jha, S/o Sri Tara Nand Jha, resident of Village Jarsain, Police Station Rudrapur in the District of Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Satish Chandra Mishra, S/o Late Mikhiya Mishra, R/o Village – Dhakdhari, P.S. Adher, District – Madhubani, presently risiding at Village Chakdah, P.S. Rajnagat, District Madhubani.

.... Opposite Party/s

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Appearance:
For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Advocate with
Mr. Abhishek Anand, Advocate.
For the Opposite Party/s:Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 26-10-2016 Heard Sri Akhileshwar Prasad Singh, learned senior counsel for the petitioner, and learned A.P.P.

The petitioner filed this Cr. Misc. no. 34496/2014 for quashing the order 01.03.2013 by which the learned Chief Judicial Magistrate, Madhubani took cognizance in Rajnagar P.S. Case No. 14 of 2011 for the offence punishable under Section 379 of the Indian Penal Code. During the pendency of Cr. Misc. no. 34496/2014 there was no order of stay of further proceeding.

The petitioner filed a petition under Section 239 of the Code of Criminal Procedure for his discharge and vide order dated 01.06.2016 the learned S.D.J.M., Madhubani dismissed the petition of the petitioner for his discharge. Against that order, the

petitioner preferred Cr. Misc. no. 29711/2016.

In view of the above facts, the petitioner seeks permission to withdraw Cr. Misc. no. 34496/2014 which was filed against the order taking cognizance.

Prayer is allowed. Cr. Misc. no. 34496/2014 is dismissed as withdrawn.

Let the record of Cr. Misc. no. 34496/2014 be kept with Cr. Misc. no. 29711/2016 for perusal of the case diary.

(Prabhat Kumar Jha, J)

Dilip/-

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