

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.752 of 2015

=====

Rahul Kumar Son of Lal Bahadur Singh Permanent Resident of village-
Itaha, P.S.- Dhangoi, Dist- Bhojpur At present- In the House of Ramanand
Yadav, Krishna Nagar, Road No. 23, District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Superintendent of Police, Patna
3. The Officer-in-Charge, Patliputra P.S., District- Patna

.... Respondents

=====

Appearance:

For the Petitioner : Mr. Kumar Praveen, Advocate.
For the Respondents : Mr. Sanjay Pandey, G.P.21

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 10-05-2016 Pursuant to the order dated 04.02.2016 passed by
this Court, the learned Judicial Magistrate, 1st Class, Patna has
submitted her report vide letter no. 11 dated 08.02.2016.

Perused the same.

It would appear that though charge was framed in
the case on 27.09.2011, no witness has turned up before the court
below to depose, despite steps having been taken by the court
below in this regard.

After some arguments, learned counsel for the
petitioner seeks leave to withdraw the present application in order
to file an appropriate application before the jurisdictional
Magistrate for closing the prosecution case as the prosecution has

lost interest in the case.

Leave is granted.

The application is disposed of.

It goes without saying that in case an application for closing the prosecution case is made by the petitioner, the learned Magistrate shall dispose of the same within a reasonable time by passing a reasoned order in accordance with law.

(Ashwani Kumar Singh, J.)

Mishra/-

U			
---	--	--	--