

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41217 of 2015

Arising Out of PS.Case No. -380 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Ram Bilash Prasad son of Late Budhani Prasad.
 2. Sudha Sinha wife of Ram Bilash Prasad.
 3. Guddi @ Sonali w/o Arun Lal.

All residents of Mohalla- Sambhavi Enclave, A- Block, D-4, Bhoot
Nath Road, Police Station- Agam Kuan, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Dr. Akanchha wife of Dr. Amit Kumar, daughter of Dr. Ram Naresh
Kumar, at present residing at Mohalla- Patel Nagar, Nai Sarai, Police
Station- Bihar, District- Nalanda.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
Mr. Pravin Kumar, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 14-03-2016 Mr. Anil Kumar Singh, learned counsel for the

petitioners submits that due to efflux of time, the application

seeking quashing of summoning order dated 20.02.2015 passed

by the learned Chief Judicial Magistrate, Nalanda at Biharsharif

in Bihar P. S. Case No. 380 of 2014, has become infructuous as

the case has reached to the stage of framing of charge and the

application filed under Section 239 of the Code of Criminal

Procedure seeking discharge from the aforesaid case has already been dismissed.

In that view of the matter, he seeks leave to withdraw the present application in order to challenge the order dated 09.02.2016 passed in Bihar P. S. Case No. 380 of 2014, whereby and whereunder the learned Magistrate has rejected the application dated 18.12.2015 preferred under Section 239 of the Code of Criminal Procedure.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J.)

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