

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13913 of 2016**

Arising Out of PS.Case No. -221 Year- 2015 Thana -SURSAND District- SITAMARHI

- =====
1. Sakila Khatun @ Sakina Khatoon Wife of Sabir Khan Resident of Village- Kamaldah, P.S. Bathnaha, Dist- Sitamarhi.
  2. Raushan Khatoon wife of Md. Usman Khan
  3. Samina Khatun wife of Irshad Khan, Resident of Village- Kumbha, P.S.- Sursand, Dist- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Anand Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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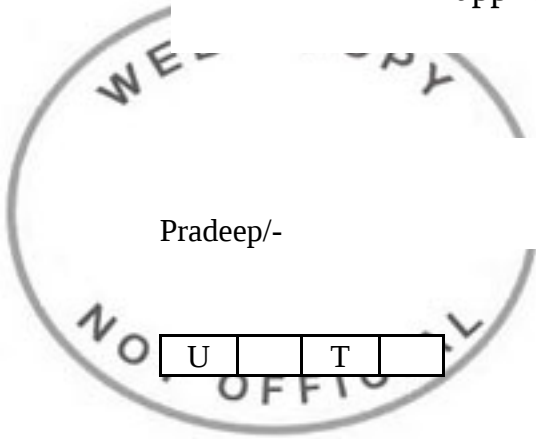
**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      01-04-2016                      It would be evident from the impugned order dated 18.01.2016 passed by the learned 1<sup>st</sup> Additional Sessions Judge, Sitamarhi that the application filed under Section 438 of the Code of Criminal Procedure was not pressed despite repeated calls made by the court. Accordingly, the application was dismissed as not pressed.

In that view of the matter, I am not inclined to entertain the present application on merit. The application stands dismissed.

It is made clear that this court has not applied its mind to the merits of the case. If so advised, the petitioners may approach the court below and press the application under

Section 438 of the Code of Criminal Procedure by filing a fresh application.



**(Ashwani Kumar Singh, J)**